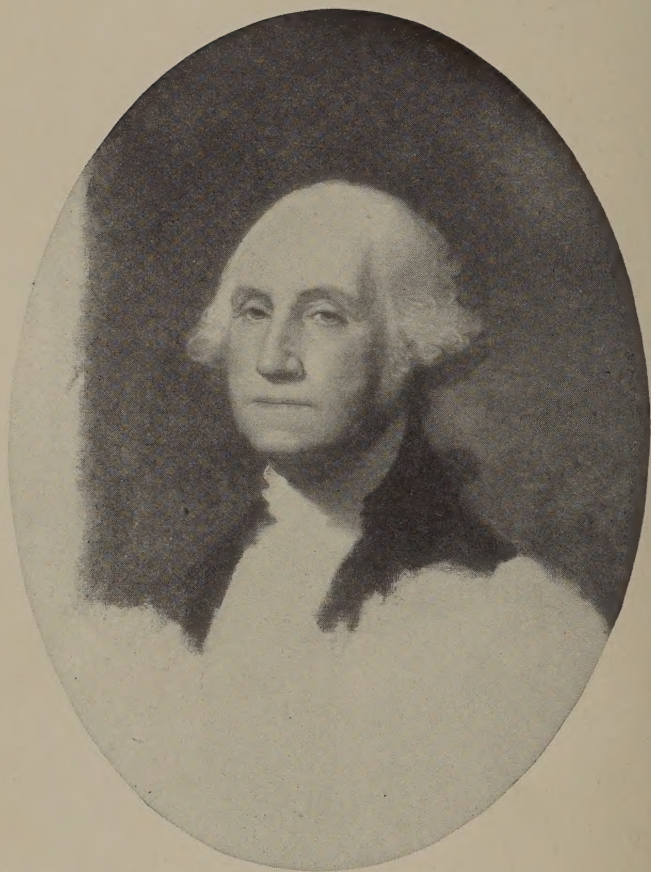




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OUR REPUBLIC



From the painting by Gilbert Stuart, owned by the Boston Athenæum

G. Washington

OUR REPUBLIC

*A BRIEF HISTORY OF
THE AMERICAN PEOPLE*

BY

S. E. FORMAN

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AMERICAN HISTORY," ETC.

Illustrated



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PREFACE

In the making of our Republic the deeds of pioneers, farmers, inventors, teachers, captains of labor, captains of industry, have been quite as important as the deeds of warriors and statesmen. This history, therefore, is not one of the drum and trumpet kind, nor is it one in which the politician always holds the center of the stage. A large share of attention is given to the every-day life of the people; to the movement which carried American civilization westward and built up a Union of States; to the growth of our industrial system; to the great inventions which have contributed so largely to our competency in material things. The treatment of topics bearing upon our economic development is unusually full for the reason that the economic factor in the history of a nation, especially in the history of the American nation, is a subject of transcendent importance. There is much in Bagehot's saying: "The selling of figs, the cobbling of shoes, the manufacture of nails—these are the essence of life."

While preparing the book the author received from the officers of the Library of Congress courtesies for which he is deeply indebted.

S. E. FORMAN.

Washington, D. C.

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OUR REPUBLIC

OUR REPUBLIC

I

SPAIN IN AMERICA

AT the opening of the fifteenth century geographical knowledge was confined chiefly to Europe, southern and middle Asia, and northern Africa. The fifteenth century, however, was not far advanced when a remarkable impulse to exploration began to show itself. Bold spirits sailed farther and farther out upon unknown seas and penetrated deeper and deeper into unknown lands, with the result that by the end of the century the boundaries of geographical knowledge had been extended so far as to include all the continents of the earth.

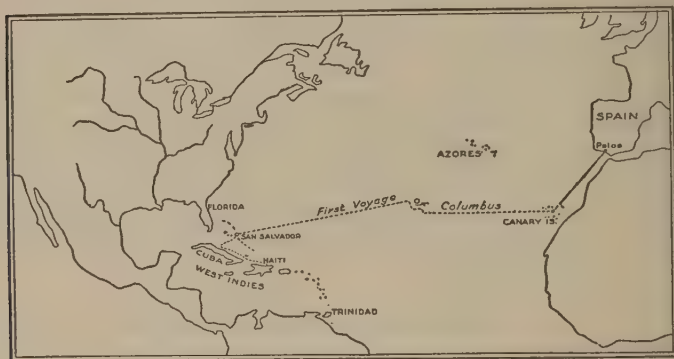
THE FINDING OF STRANGE COASTS

The impulse which prompted Europeans in the later years of the fifteenth century to go out upon unknown waters and explore strange lands was born of commercial necessity. About 1450 the trade which Venice, Genoa, and other Mediterranean cities were carrying on with the Orient began to suffer because of the interference of the Ottoman Turks, who, having begun to overrun Asia Minor in the fourteenth century, did not halt in their career of conquest until they had spread their power over all the countries bordering upon the Black Sea and the eastern edge of the Mediterranean. In 1453 they captured Constantinople and, pushing their conquests southward, they rapidly brought all Syria and Egypt under their sway. Wherever the Turks planted their power they erected barriers to commerce. They stood in the overland routes that led from the Mediterranean to the Orient and would not allow the merchants to pass. They imposed such heavy tolls upon goods moving upon the Nile and the Red Sea as to render trade by this route unprofitable. By the opening of the sixteenth century

The Turks
and the
Trade
Routes

they had made it almost impossible for trade to move by the old routes between Europe and the Far East.

No sooner, however, were the old routes to the Orient blocked than an eager search for new routes began. This was to be expected, for the movements of trade are well-nigh irresistible. If commerce cannot surmount barriers it will go around them. In the race to reach the Orient by a new route Portugal took the lead. By 1471 Portuguese sailors had followed the African coast beyond the equator, and by 1487 Bartholomeu Dias had pushed as far south as the Cape of Good Hope. In 1497 Vasco da Gama sailed for India



The First Voyage of Columbus

in the path marked out by Dias, and the next year entered the harbor of Calicut. He returned to Lisbon bringing with him a cargo of nutmegs, cloves, pepper, rubies, emeralds, silks, and satins. Thus Portugal found a new route to the Indies and trade between Europe and the Orient was reestablished.

Columbus

While the Portuguese sailors were creeping down the African coast, Christopher Columbus was planning to reach India by sailing directly westward across the Atlantic. In August, 1492, under the auspices of Spain, he sailed westward from Palos, and on October 12 he landed on a little island (possibly San Salvador) of the Bahama group. After skirting the coast of Cuba and landing at Haiti, he returned to Spain (March, 1493) with the startling announcement that he had reached the coast of India by a westward route. This was glorious news for Spain, for it now seemed that

the trade of the Orient, the great prize for which the commercial world was contending, would be carried in Spanish bottoms and landed at Spanish ports, and that the enormous profits of this trade would go into the coffers of Spanish merchants.

Columbus followed up his first voyage with three others. On his third voyage (begun in 1498) he reached the mainland of South America. On his last voyage he skirted the coast of Central America. These strange coasts he was sure belonged to Asia. That they were portions of a continent the existence of which was unknown to Europeans, or that he had discovered a New World, seems never to have occurred to the great discoverer himself or to any of his contemporaries.

Englishmen were not slow in finding their way to the strange coasts which were discovered by Columbus and which were thought to be the gateway to the riches of India. In May, 1497, John Cabot under the auspices of the English king Henry VII, set sail from Bristol and in June "discovered that land which no man before that time had attempted."¹ The place of Cabot's landing cannot be precisely located, but it was on the coast of North America somewhere between southern Labrador and Halifax. Cabot thought he had landed on the coast of China, for like Columbus he was searching for the eastern coast of Asia, and like Columbus he thought he had found the object of his quest. Cabot claimed the "new-found-land" for England, and this claim became the foundation-stone of the English power in the New World.

That Cabot was the first of the great navigators to reach the American mainland is a matter of dispute. Some historians contend that Americus Vesputius, a native of Florence, Italy, sailed from Cadiz in May, 1497, and, having crossed the Atlantic, landed on the coast of Honduras a few days before it had been reached by Colum-

¹ For a long time it was believed that the North American coast was discovered centuries before this voyage of Cabot. According to the sagas, or Scandinavian legends, a sea-rover named Leif Ericson sailed from Iceland about the year 1000, and, steering in a southwesterly direction, explored the American coast as far south as New England. Leif is said to have landed somewhere on the coast of what is now Massachusetts or Rhode Island, where he made a settlement called Vinland, but historians are unable to decide where this Vinland really was. Indeed, many historians no longer believe the story of Leif Ericson and the settlement of Vinland at all, for they doubt the truth of the sagas upon which the story rests. Even if the voyage of Leif was actually made, it is likely that all memory of it had faded from men's minds by the time of Columbus.

CHAP.
I

bus. Whether this contention is true or not, it is certain that Vespucci was among the first who made voyages to the newly found world. It is also certain that it was from him that the New World took its name. The naming of America was accomplished in a roundabout way and without the knowledge of Vespucci himself. In 1504 Vespucci wrote an account of his voyage to the newly found world, and his narrative fell into the hands of Martin Waldseemüller, a professor of geography in the College of St. Die in Lorraine. In 1507 Waldseemüller published a geography in which he suggested that the New World be given the name America. The suggestion of the geographer was followed. Waldseemüller intended that only Brazil—the region described by Vespucci in his narrative—should be called America, but the name spread northward and southward and in time the whole western continent came to be called America. Thus it was an Italian that discovered the Western world, an Italian that first reached its mainland, and an Italian that gave it its name.

New
Centers of
Trade

The interference of the Turks with the trade of the Orient influenced profoundly the course of human history. In the first place, it caused commerce to flow in new channels and directed it to new centers. The voyage of da Gama marked the beginning of a movement that was to take the best trade of the world from the cities of the Mediterranean and give it to the cities of northern and western Europe. After that voyage Venice and Genoa declined, while Lisbon and Antwerp and London prospered as never before. In the second place, the conduct of the Turks caused navigators of Europe to go out and find strange coasts in all quarters of the globe. Before the close of the fifteenth century Portuguese captains sailing southward had explored the west coast of Africa throughout its entire length, while Columbus and Cabot had explored the eastern coast of the Western continent from the frozen shores of Labrador to the region of the Orinoco River.

THE GOLD HUNTERS OF SPAIN AND THE FISHERMEN OF FRANCE

Spanish
Power in
the West
Indies

There was no rush of emigrants to the region discovered by Columbus and Cabot. There was no overcrowding in Europe as yet, and there was no good reason why the comforts of civilized life should be exchanged for a wretched existence in a far-off desolate land. Nevertheless, Europeans in small numbers began to go out

to the New World almost as soon as it was discovered. The first to go were Spanish adventurers who followed in the wake of Columbus. Some of these promptly took up the hard work of colonization. Haiti was settled first and as early as 1496 Santo Domingo, the first town inhabited by white men in the New World, was founded. The settlement of Porto Rico was also quickly begun, and by 1510 the island had a regularly organized colonial government. In 1511 the colonization of Cuba began, and by 1519 the foundations of

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I



Explorations of Ponce de Leon, De Soto, and Coronado

Havana were laid. Thus an almost immediate result of the voyages of Columbus was the firm establishment of the Spanish power in the West Indies.

But the boldest of the early Spanish adventurers went to the New World not to found colonies but to search for gold. Finding no gold along the coast, the soldiers of fortune left their ships and struck out into the wilderness. It was while searching for gold that Balboa discovered the Pacific Ocean (1513); that Ponce de Leon came upon Florida (1513); that De Soto found himself upon the banks of the Mississippi River (1541); that Coronado was led to traverse the wilds of what is now New Mexico and Kansas. These adventurers found little gold, but they greatly enriched geographical knowledge and widely extended the Spanish power in the New

Spanish
Gold
Hunters

CHAP.
I

World. By virtue of their explorations Spain laid claim to a large part of North America. These gold hunters, however, found that riches lay at the south. Here they were successful beyond the dreams of avarice. In 1519 Cortés conquered Mexico and about ten years later Pizarro overran Peru. These men became masters of untold wealth and their conquests made Spain not only the richest nation in the world but also the mistress of Mexico, Central America, the greater part of South America, and the greater part of North America. Indeed, by the middle of the sixteenth century Spain was the virtual possessor of every part of the Western World from Patagonia to Labrador excepting only Brazil, which belonged to Portugal.¹

French
Fishermen

While Spaniards were exploiting the southern part of America for its gold, Frenchmen were exploiting the northern part for its fish. As early as 1504 fishermen began to go out from the ports of Dieppe and St. Malo to Newfoundland, and by 1522 there had been built along the coast of that island as many as forty or fifty huts for the accommodation of French fishermen. These rude fishermen's huts were perhaps the first structures erected by white men in North America.

A CLASH BETWEEN SPAIN AND FRANCE

Jacques
Cartier

France soon began to think of doing something more in America than merely catching fish. In 1534, Francis I, king of France, denying the validity of the claims of Spain to North America, sent out Jacques Cartier to make explorations in the region of the Gulf of St. Lawrence. Cartier found the country full of all sorts of goodly trees, oaks, elms, cedars, firs, and willows. "The forests," he said, "were full of fur-bearing animals; hares, martens, foxes, beavers, otters; and the rivers were the plentifullest of fish that any man ever hath seen or heard of." In 1540 Cartier attempted to establish a French colony on the banks of the St. Lawrence, but disease soon swept away most of the colonists and the colony was broken up.

¹ In 1494, in accordance with the wishes of Pope Alexander VI, the king of Spain and the king of Portugal made a treaty which provided that a meridian 370 leagues west of the Cape Verde Islands should be a "line of demarcation" and that all heathen lands west of this line should belong to Spain; Brazil, therefore, was claimed by Portugal on the ground that it was east of the line of demarcation.

About thirty years after the voyages of Cartier French Protestants—Huguenots, they were called—made a settlement at the mouth of the St. John's River in Florida, calling it Fort Carolina. In the mind of the Spanish monarch there were several good reasons why the Huguenot colony should be destroyed. In the first place, the colonists were trespassing upon land which Spain claimed as her own. In the second place, the Huguenots were enemies of the Catholic religion, the faith to which the Spanish king belonged and of which he was the most distinguished champion. Then, too, the Spaniards regarded the settlement at Fort Carolina as a nest of pirates. For about this time French cruisers were in the habit of scouring the seas and capturing Spanish vessels. In 1555 French bucaniers plundered Havana, burned the town, and put many of its inhabitants to death. The Spanish monarch, accordingly, could proceed against the trespassing Huguenots with right good will. He sent a great force of ships and men against the French settlement, and Fort Carolina was wiped from the face of the earth.

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IThe
Huguenot
Colony

Thus France and Spain were the first nations to quarrel about the possession of territory in the New World and in the clash which followed Spain came out as the victor. After the destruction of Fort Carolina the French made no further attempts to gain a foothold on the southern part of the Atlantic seaboard. Spain was left, for the time, in undisputed possession of the coast from Florida to Labrador.

THE RISE OF ENGLAND AND THE DECLINE OF SPAIN

But another nation was gathering strength and power to contend with Spain and the rest of the world for the mastery of the American coast. This rising nation was England. At the opening of the sixteenth century England was a weak and backward country. Her population was small, her commerce and industries were unimportant, and she was weak on the seas. But before the century was well advanced England as a nation was growing stronger. Her industries were increasing, her commerce was expanding, her middle class was growing rapidly in wealth and numbers. Above all, she was adding strength to her navy, building her ships larger, arming them with more powerful guns, and manning them with more skilful crews. By the middle of the century she had trained a race of bold and hardy seamen to whom "no land was uninhabitable and no sea unnavigable."

The
English
Navy

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IHawkins
and
Drake

No sooner had England built up her navy than her seamen began to push out for trade and for plunder. In 1562 John Hawkins sailed from the Guinea coast to the West Indies with a cargo of negroes who had been captured in the wilds of Africa. The negroes were sold as slaves to Spanish settlers in Haiti. This voyage of Hawkins led to a clash with Spain and marked the beginning of one of the most momentous conflicts in the history of the world. Spain, desiring all the trade of the West Indies for herself, forbade outsiders to trade in the islands on the pain of death. England answered this prohibition by letting loose in the West Indies a swarm of ruthless buccaneers who plundered Spanish coasts and robbed Spanish vessels wherever they could find them. The leader of these sea-dogs was Francis Drake. This greatest of all English seamen hated Spain with his whole heart and devoted his whole life to inflicting injury upon the Spanish nation. In the pursuit of his vengeance Drake was relentless, being held back neither by twinges of conscience nor by fear nor by bodily pain. By 1580 this terrible corsair and his companions had rained upon Spain so many heavy blows that the Spanish ambassador to the English court protested and threatened that if the outrages of English freebooters did not cease "matters would come to the cannon."

The
Armada

And soon matters did come to the cannon. In 1588 the Spanish king, Philip II, began to collect a large army and prepare an immense fleet for the invasion of England and its complete subjugation. Elizabeth and her statesmen made every effort for defense and when Philip's great fleet—the Invincible Armada—sailed into the English Channel it met the full strength of the English navy. The English felt they were fighting for their honor, their country, and their firesides and they went at the Spanish in a life-and-death struggle. The battle ended in a tremendous victory for the English. Many of the Spanish ships were sunk and many that escaped were soon destroyed by a terrible storm. This battle was a decisive event, not only in the life of the English nation, but in the history of the world as well. The defeat of the Armada led rapidly to the decline of Spain and gave England what she never before had had—a place among the leading nations of the world.

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1460 Henry the Navigator explores the African coast.
- 1485 Caxton sets up a printing-press in England.
Henry VII becomes king of England.
- 1492 Conquest of Granada by Spain and disappearance of the Moorish power.
- 1493 Spanish colony at Hispaniola founded.
- 1497-1503 Voyages of Americus Vesputius to South America.
- 1500 Cabral reaches the coast of Brazil.
Cortereal, a Portuguese navigator, explores Newfoundland.
- 1502 Fourth voyage of Columbus.
- 1506 Columbus dies at Valladolid.
- 1509 Henry VIII becomes king of England.
- 1516 "Utopia," by Sir Thomas More, is published.
- 1519-22 Magellan's voyage. (Magellan, a Portuguese captain in the service of Spain, starting from St. Lucar in Spain in 1519, sailed along the eastern coast of South America, passed through the strait which bears his name, and crossed the Pacific, making his way to the Philippine Islands, where he was killed by the natives. His companions continued the voyage around the Cape of Good Hope to Spain, thus completing in 1522 the first circumnavigation of the world.)
- 1524 Verrazano explores the coast of North America.
- 1528 Narvaez explores the Gulf region.
- 1533 Pizarro completes conquest of Peru.
Ignatius Loyola founds the Jesuit order.
- 1534 England throws off the papal authority.
- 1535 Jacques Cartier ascends the St. Lawrence River.
Henry VIII assumes the title of supreme head of the church.
- 1542 Henry VIII assumes the title of king of Ireland.
- 1547 Edward VI becomes king of England.
- 1553 Mary becomes queen of England.
- 1558 Elizabeth becomes queen of England.
- 1559 Protestantism established in England by Act of Uniformity and Supremacy.
- 1562 Huguenot wars begin.
- 1564 Laudonnière founds a colony in Florida.
- 1565 Menendez founds St. Augustine.
- 1576 Frobisher begins search for a Northwest passage.
- 1577-79 Drake's voyage. (In 1577 Francis Drake with five small vessels embarked from England on a buccaneering expedition to the Pacific through the Straits of Magellan. Having obtained immense treasure by plunder on the coasts of Chili and Peru he sailed north as far as California where he landed and took possession of the country in the name of Queen Elizabeth, calling it New Albion. From California he steered across the Pacific to the Moluccas and returned to England by way of the Cape of Good Hope in 1579. This was the first time the globe was circumnavigated by an Englishman.)
- 1580 Tobacco first brought to England.

- 1582 Santa Fé is founded.
1583 Sir Humphrey Gilbert attempts to colonize Newfoundland.
1585 Raleigh makes an unsuccessful settlement on Roanoke Island.
1587 Virginia Dare, the first white child of English parents, is born in America.
1596 Cadiz attacked and the Spanish fleet destroyed by the English.

*Suggested Readings*¹

- The Renaissance: Adams, pp. 364-391; also Green, pp. 302-310.
Medieval trade routes: Cheyney, pp. 22-26.
Henry the Navigator: Cheyney, pp. 60-78.
The Reformation: Adams, G. B., pp. 416-442.
The naming of America: Bourne, pp. 84-103.
Spanish discovery of the Mississippi: Ogg, pp. 8-44.
The voyages of the Cabots: Bourne, pp. 54-61.
The English seamen: Channing, Vol. I, pp. 115-142.
Queen Elizabeth: Green, pp. 369-379.
The Armada: Green, pp. 405-420.

¹ For the full names of the authors and the full titles of the books see Reading List, p. —, where the names of the authors are arranged in alphabetical order.

II

THE PLANTING OF THE COLONIES

THE COMING OF THE ENGLISH, FRENCH, AND DUTCH

NOW that the navy of Spain was no longer an object of terror, the eastern seaboard of North America was free to be occupied by any nation that would seize upon it. The only visible sign of Spanish power in North America was the town of St. Augustine, which stood on the lonely Florida coast. From the St. John's River in Florida to Labrador the land was open to colonization. The maritime countries of Europe saw their opportunity, and early in the seventeenth century three nations, England, France, and Holland, almost at the same moment rushed forward to secure a permanent foothold on the American continent.

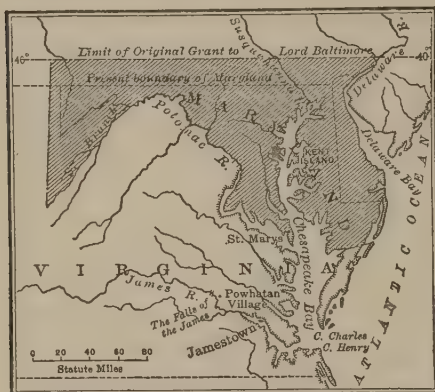
In the race for empire in North America the English led the way. There were strong reasons why England at the end of the sixteenth and at the opening of the seventeenth century should be eager to plant colonies in America. At this time there was much discontent among the masses in England. Landholders had been giving their lands over to the pasturing of sheep rather than to the raising of grain, with the result that thousands of farm laborers were thrown out of employment. The unemployed had found their way in large numbers to the cities, where they were living in idleness and beggary. There was thus a large unemployed class that was only too willing to go to America in order to escape poverty and suffering at home. Furthermore, by 1600, there had been accumulated in England a surplus of capital. Bankers and merchants had money to invest in new enterprises. This condition was highly favorable to schemes of colonization, for it required large sums of money to fit out a colony with needed supplies, transport it to a far-off land, and support it until it could support itself. But the sharpest spur to colonization was the hope that by means of her colonies England would be able to increase her trade. English wares, it was thought, could be exchanged in the colonies for raw material, for lumber and iron and copper, and England would no longer be compelled to

Why
England
Was Eager
to Plant
Colonies

buy these things at a high price from the countries of Europe. Thus when the seventeenth century opened conditions in England were extremely favorable to colonization: hordes of laborers were seeking employment; a surplus of capital was seeking investment in new enterprises; and an expanding industry was seeking a market in foreign parts.

The first efforts of England to plant colonies in America were made even before the power of Spain was broken. In 1583 Sir Humphrey Gilbert landed a body of settlers on the coast of Newfoundland, but the enterprise ended in failure. The work begun by Gilbert was quickly taken up by Sir Walter Raleigh, who labored

for years to plant a permanent colony on the shores of what is now North Carolina. But Raleigh's men did not know how to live amid the primitive conditions of a barbarous land, and his colony perished. Others took up the work begun by Raleigh and carried it to success. In 1606 a company of prosperous Englishmen, residents of London, obtained



Jamestown and Vicinity

from King James I permission to plant colonies on the American coast between Cape Fear River and Halifax, and in the following year they sent out to America about one hundred colonists who settled on an island a few miles from the mouth of a river which flows into the Chesapeake Bay and founded a colony which they called Jamestown. This settlement was the beginning of the State of Virginia and was the germ of the American nation.

The planting of the Virginia colony was a business venture pure and simple. The land was to be owned by the company which secured the charter. Every colonist was to be a toiler and was to work at the task assigned him. The products of the labor of all were to be thrown into a common stock, out of which the colonists were to be fed and supported. If after the needs of the settlers

were supplied there should be a surplus it was to be sent to England in the company's vessels and sold, the proceeds going into the treasury of the company. The colony, therefore, was planted primarily not for the benefit of those who went over the seas, but for the benefit of those who remained in London.

The colonists at Jamestown suffered unspeakable hardships, and there were times when it seemed that the little settlement would perish. But the colony managed to survive, and before many years had passed it was standing firmly on its feet, gaining in wealth and population. Its chief resource was tobacco. This was raised to the exclusion of all other crops and furnished a marketable staple of vast importance in the upbuilding of Virginia.

The widespread cultivation of tobacco created such a brisk demand for workers that the planters had recourse to the labor of negro servants. The first negroes that came to Virginia were twenty that were brought on a Dutch man-of-war in 1619. These negroes were held in a condition of temporary servitude, as many white men were held. For among the white population of early Virginia there was a class of "indented servants" who had sold themselves of their own free will to a shipmaster or a planter for a term of years, with the stipulation that when the term was completed they should regain their freedom. At first negroes were brought to Virginia only in small numbers, but in the course of years the blacks of the colony became so numerous as to present a very serious labor problem, which was solved by changing the negroes' condition of temporary servitude to one of absolute slavery.

The government of Virginia at first was organized after the fashion of a despotism. Supreme authority over the colony was placed in the hands of a general council which was to reside in London. The general council was appointed by the king and subject to his instructions. A second council also appointed by the king and subject to his instructions resided in the colony and had the direct management of public affairs. Thus the government was so planned that all power flowed from the king. But as the colony grew in numbers it acquired for itself more of the powers of a self-governing community. In 1619 delegates from the various settlements which had sprung up were elected to a general assembly, which sat as a law-making body. The proceedings of this assembly were the beginnings of representative government in the New World. In 1624 all political control over the colony was

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taken from the company and given to the king. Virginia thus became a royal province. The king retained for himself the power of appointing the colonial governor and the colonial council, but the colony was allowed to retain its elective general assembly as its law-making body. Under the new order of things Virginia was no longer a mere group of distant colonists laboring for the benefit of a trading corporation in London: it was a political community endowed with large powers of local self-government. It was a state in embryo.

Champlain
and the
French

By the time the English had established themselves on the banks of the James the French had established themselves on the St. Lawrence. For in the very next year after the founding of Jamestown Samuel de Champlain had planted the French flag on the bold headland of Quebec and there had laid the foundations of a town which was given that name. From Quebec Champlain pushed his explorations in almost every direction, and before he died (in 1635) he had established the French power throughout Canada and had planted the flag of his country even in the far-off wilds of Michigan and Wisconsin.

The French power was thus spread over a vast extent of territory, but it was spread very thin. French dominion in America was never rooted firmly in the earth. The English in Virginia looked to the soil as the source of their fortune, while the French in Canada avoided the hard labor of the farm and gave all their energies to the fur trade. This trade yielded large profits, but it could not lead to the building up of a strong and populous empire. Quebec in 1629—more than twenty years after its foundation—had but two permanently settled families.

Henry
Hudson and
the Dutch

The English and the French had hardly landed in America when the Dutch also appeared upon the scene. In 1609 Henry Hudson, an Englishman in the service of the Dutch, sailed up the magnificent river that bears his name. On the voyage Hudson traded with the Indians and secured a good load of otter and beaver. He took back to Holland a glowing report of the country he had explored and showed what an excellent place it was for carrying on a trade in furs. The Dutch were quick to take advantage of the opportunity. In 1613 they began to build huts on Manhattan Island for the storage of furs. Ten years later a Dutch colony was sent out to make a permanent settlement in a region which was then called New Netherlands and which was to include the territory



Statue by Augustus Saint-Gaudens

THE PURITAN

out of which the four States of New York, New Jersey, Pennsylvania and Delaware have been formed.

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II

When the Dutch vessel carrying colonists entered the harbor at the mouth of the Hudson they found a French vessel already there preparing to establish a colony. The Dutch gave notice that the country was theirs and that they would hold it against all comers. The French took the hint and withdrew. Meanwhile the English king was complaining because the Dutch were about to settle upon land which he claimed rightfully belonged to the English nation. But the Dutch went on with their plans and settlements were made at Fort Orange where Albany now stands, at Lewes in Delaware, at Fort Nassau (now Gloucester, New Jersey), and on Manhattan Island. On the island they built a fort and laid the foundations of a town which they called New Amsterdam. Thus the Dutch planted themselves in a region which was claimed outright by the English and which was looked upon with wistful eyes by the French.

Conflicting
Claims

PILGRIMS AND PURITANS

About the time Jamestown and New Amsterdam had taken root and were beginning to prosper, permanent English settlements were springing up on the coast of New England. To understand the origins of these settlements it will be necessary to take a glance at the religious conditions which prevailed at this time in England. For in the settlement of New England, religion was a powerful and controlling force. "If a man," said Francis Higginson, "counts religion as being twelve and all other things as being thirteen he has not the true New England spirit."

At the opening of the seventeenth century the Protestants of England were divided into several distinct groups. The great body of Protestants consisted of members of the Church of England—the established church—established and maintained by state authority. Within the church there were many worshipers who had become dissatisfied with the manner in which affairs were conducted. Thinking that the forms and ceremonies of the established church resembled too closely the services held in Catholic churches, they desired a plainer and simpler form of worship; thinking that the doctrine of the church was misstated and corrupted, they desired a purer doctrine. Because they wished to reform the church and purify it they were called Puritans.

The Church
of England
and the
Puritans

Among the Puritans there were some who flatly denied the authority of the established church and claimed the right to set up churches of their own, elect their own preachers, and worship in their own way. These people, because they separated themselves from the established church, were called Separatists or Independents. They differed from most Puritans in this: Most Puritans wished to remain in the established church and reform it from

within, while the Independents wished to withdraw from the church altogether.

It was by groups of Independents and Puritans seeking to realize their religious aspirations that New England was settled. The Independents came first. In September, 1620, about one hundred of this group, called Pilgrims because of their wanderings, having been persecuted in England and harried out of the country, and having resided for a time in Holland, embarked for America on the *Mayflower*, and in December went ashore where the town of Plymouth, Massachusetts, now stands, and began to lay the



Settlements Around Massachusetts Bay

foundations of a colony to which the name of Plymouth was given. Circumstances made it necessary for the Pilgrims to provide a government for themselves. While yet on board the *Mayflower*, they entered with great solemnity into an agreement signed by the whole body of men, to give their submission and obedience to all such laws as the general good of the colony might require. The Mayflower Compact is justly regarded as one of the most important documents in the history of American democracy. The text of the celebrated agreement is as follows:

In the name of God, amen. We whose names are underwritten, the loyal subjects of our dread sovereign Lord King James, by the grace of God of Great Britain, France, and Ireland King, Defender of the Faith, etc., having undertaken, for the glory of God and advancement of the Christian faith and honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents solemnly and mutually, in the presence of God, and one of another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices from time to time, as shall be thought most meet and convenient for the general good of the Colony, unto which we promise all due submission and obedience. In witness whereof we have hereunder subscribed our names at Cape Cod, the 11th of November, in the year of the reign of our sovereign lord King James, of England, France, and Ireland, the eighteenth and of Scotland the fifty-fourth. Anno Dom. 1620.

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The
Mayflower
Compact

The form of government established was at first a pure democracy: all the freemen met in a primary meeting at Plymouth and attended personally to the public business. But as the colony grew and new settlements were made, pure democracy became impracticable and a representative system was established.

The colony at Plymouth prospered and the Pilgrims for many years enjoyed in the fullest measure the blessings of religious freedom. But the little colony of Pilgrims was destined to be swallowed up by a colony of Puritans who in 1629 began to make settlements around Massachusetts Bay and who laid the foundations of Massachusetts. The Puritans left their homes because of religious persecutions: at the time of their coming to America, Puritans in England were having their ears cropped and their noses slit on account of their religious opinions. Another cause of their leaving was the despotic conduct of Charles I, who was ruling without a Parliament, taking money out of the pockets of his subjects in an unlawful manner, and throwing English citizens into jail without giving them a fair trial. Hence when the Puritans left England they fled from political tyranny as well as from religious persecution.

The Massa-
chusetts
Colony

The tide of Puritan emigration flowed very strong. By 1640 the population of the Massachusetts colony was over 15,000. This was

New
Settlements

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II

greater than the population of all the other British colonies in America put together. The Puritans came so fast that soon all the best places along the coast of Massachusetts Bay were occupied and there was overcrowding. Settlers accordingly had to look for new homes and their eyes turned naturally to the vast stretches of idle land which lay in the interior back of the parent settlements. Another cause which led settlers to seek new homes was discontent with the management of affairs in Massachusetts. The government of the colony soon fell into the hands of the clergy, who assumed to rule in temporal as well as in spiritual matters. They ruled with a high hand and in a most illiberal and intolerant spirit. As a result, many independent leaders broke away from the harsh rule

of the parent colony, pushed out into the wilderness, and formed new settlements. The growth of New England was hardly anything more than the expansion of Massachusetts.

In 1636 Thomas Hooker, the pastor of a church near Boston, moved with his entire congregation to the banks of the Connecticut River and founded the



Connecticut and Rhode Island

colony of Connecticut. The next year, Roger Williams, a religious exile fleeing from the bigotry and displeasure of the Massachusetts rulers, began a settlement on a spot where the city of Providence now stands and there laid the foundations of Rhode Island, planting institutions that made for democracy and religious freedom. In 1638 John Wheelwright, another religious exile from Massachusetts, removed northward into the wilds of what is now New Hampshire and made at Exeter a settlement which was the nucleus of a colony which in time came to have a separate existence and which was called New Hampshire. Thus in a very few years nearly all of New England was brought under the control of Puritan settlers.

It was in Massachusetts that the spirit of American independence was acquired. Since the stockholders of the Massachusetts Bay Co. came to America in person and brought with them a charter

The
Expansion
of Massa-
chusetts

The
Beginnings
of
American
Independence

which was issued directly by the king, the settlers of this colony were not, like those of Virginia, subject to the control of a company residing in England. This freedom gave them an opportunity to build up a colonial government which was quite independent of any other authority except that of the king and Parliament. Soon they began to ignore the wishes of the king and Parliament. Events in England made it easy for the Puritans to break away from the authority of the mother-country. The despotic course of Charles I caused his subjects to rebel, and by 1642 there was open war between the king and Parliament. The king was defeated, and in 1649 he was beheaded. Then came the rule of Oliver Cromwell, which lasted until his death in 1658, and in 1660 Charles II was restored to the throne. During these long years of civil strife the English Government, whether it was that of the king or of Parliament that was ruling, was so busy that it could give but little attention to what was going on in the colonies. Taking advantage of this situation, Massachusetts presumed to act almost as if English authority had not existed. The rulers of the colony ceased to issue writs in the king's name, dropped the English oath of allegiance, and adopted a new oath in which public officials and the people swore allegiance, not to England, but to Massachusetts. When commissioners of the king were sent over from England to investigate the affairs of the colony they met with defiance and accomplished nothing. Thus early was the authority of the mother country flouted.

The government established by the Puritans of Massachusetts was virtually a theocracy, for no man could be a freeman of the colony unless he was a member of some Puritan church. This left the government in the hands of men who believed that human affairs should be conducted in accordance with the words of the holy writ. Since the theocracy was virtually independent of England it could rule with a high hand, for there was nothing to withstand its power. And it did rule with a high hand. The clergy were all-powerful in temporal as well as in spiritual matters. They not only argued cases in the courts, but even acted as judges. They would boldly attend the trial of lawsuits which were in progress, "observe what was going on and if they were not pleased with the judge's decision would overrule it, and if they did not like the action of the jury they would overrule it and pronounce the verdict themselves."

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—

The
Puritan
Theocracy

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IIThe New
England
Confeder-
ation

By 1640 the combined population of the New England colonies was probably about 25,000. By this time there was beginning to be felt the need of some kind of union. Accordingly in 1643 commissioners from Plymouth, Massachusetts, Connecticut, and New Haven met at Boston and formed a compact known as the New England Confederation. New Hampshire was denied membership in the confederation because it "ran a different course" from the other colonies "in its ministry and administration." Rhode Island was not allowed to join because it was regarded as "tumultuous and schismatic." The avowed purpose of the confederation was to defend the colonies against the French, the Dutch, and the Indians. Moreover, there was a secret hope that if the tyranny of Charles I should show itself in New England the confederation would be helpful to the colonies in the defense of their liberties. This confederation, although it accomplished nothing very remarkable, taught the colonies how to combine, and it may therefore be regarded as the first step in the formation of our federal union. It was dissolved in 1684.

THE NEIGHBORS OF VIRGINIA

Maryland

About the time the Puritans were taking possession of New England other English colonists were laying the foundations of Maryland. The actual settlement of Maryland began in 1634, when about two hundred men and women sent out by Cecil Calvert landed on a small stream which flows into the Potomac River and began to build a town that was called St. Mary's. Englishmen had now learned the art of colonization, and the settlement of Maryland was easily accomplished. The cultivation of tobacco was the mainstay of the people. The growth of the colony was steady and healthful. Before twenty years had passed it had a population of more than 12,000 and was a highly prosperous community.

Religious
Freedom

The most important feature of early Maryland history was the religious toleration which was practised in the colony. The leaders were devoted Catholics who wished Maryland to be a place where the Catholics of England might find refuge from persecution. The laws of England at this time were even more severe against Catholics than they were against Puritans. But the Maryland Catholic leaders were broad minded men who were willing to extend to others the toleration they desired for themselves. In 1649 the Maryland

colonial assembly, in which Catholics had the majority of votes, passed an act known as the Toleration Act providing that "no person professing to believe in Jesus Christ shall from henceforth be anywise troubled, molested, or discountenanced, for or in respect of his or her religion." This act was such an important step in the march of human progress that it well deserves the praise which Baneroft gives it when he calls it the "morning star of religious freedom."

By the time Virginia's neighbor at the north was well started on the road to prosperity two colonial neighbors at the south were beginning to make settlements on the Carolina coast, a vast and vacant territory lying between English Virginia and Spanish Florida.

In 1663 Carolina was granted by Charles II to eight proprietors who were to hold the country in joint possession. The settling of Carolina had really begun some years before this grant was made, for about 1650 frontiersmen had begun to leave Virginia and settle along Albemarle Sound where the farming lands were good and where the freedom of pioneer life could be fully enjoyed.

In the Albemarle region the proprietors began to develop their grant. Before many years had passed their territory was divided into two clearly defined jurisdictions, North Carolina and South Carolina. North Carolina had its beginning in 1664 when a governor was sent to rule over the little settlements in the Albemarle district. South Carolina had its beginning in 1670 when about 150 colonists settled at the mouth of the Ashley River and built a cluster of cabins which they called Charlestown—later known as Charleston—in honor of the king. Although both North Carolina and South Carolina were under the control of the proprietors, each colony had its own government and each developed in its own way. In North Carolina the population was scattered,

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North
Carolina



Along the Carolina Coast

South
Carolina

and it was fifty years before the colony could boast of a village with a dozen houses. In South Carolina everything centered around Charleston, which rapidly pushed forward and became a flourishing city. In North Carolina the products of the forest were the chief sources of profit. In South Carolina rice and indigo were the most important products. In both colonies there was slavery, but the slaves in North Carolina were few in number. In South Carolina, where the rice swamps were deadly to white men and could be cultivated to advantage only by negroes, the slaves far outnumbered the free population.

THE OUSTING OF THE DUTCH: THE MIDDLE COLONIES

The
English
Take New
Nether-
lands

Now that England had planted her power along the Carolina coast the only break in her line of colonies on the seaboard between Florida and Nova Scotia was that made by the Dutch settlements in the region of the Hudson and the Delaware. But this gap was soon filled. Indeed, in the very year in which the settlement of North Carolina was begun Charles II decided to push the claims which England had always made to the territory held by the Dutch. In 1664 an English fleet appeared before New Amsterdam and a demand was made for the surrender of the town. Since resistance would have been madness the surrender was made without the firing of a shot on either side. The end of Dutch rule in New Netherland was certain to come sooner or later;¹ the Dutch in America could not withstand permanently the numbers that were against them. There were in all New Netherlands in 1664 less than 10,000 inhabitants, and nearly half of these were Englishmen. North of the Dutch, in New England, there were about 50,000 Englishmen and south of them in Maryland and Virginia there were 50,000 more Englishmen. If the English king had not taken New Netherlands by force, therefore, English colonists would almost certainly have overrun the country and crowded the Dutch out. With the Dutch out of the way the English came into full possession of the Atlantic seaboard from Nova Scotia to Florida.

New York

The province wrested from the Dutch was rapidly organized into English colonies. The Dutch officials gave up their places to English officials and a code of English laws was substituted for Dutch

¹ In 1673, England and Holland being at war, New York was recaptured by the Dutch and remained in their possession for fifteen months; it was then restored to the English.

laws. The colony of New York was organized with the Duke of York as its proprietor. The charter of the proprietor authorized him to make laws for the colony; but soon the people began to clamor for a share in law-making, and before the close of the seventeenth century New York like the other colonies had an assembly consisting of representatives chosen by the freemen.

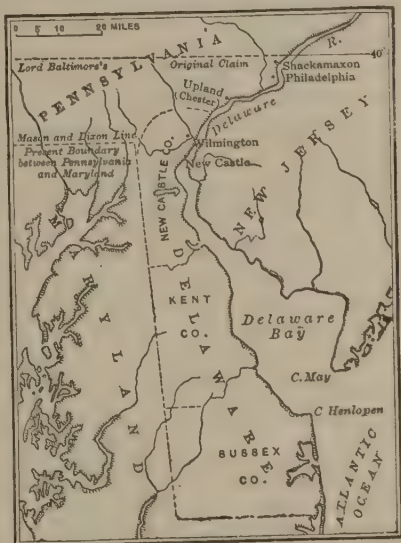
The Duke of York was the proprietor of all New Netherlands, but he at once granted to two favorites the part of his province which lay between the Hudson and the Delaware and which is now the State of New Jersey.

The settlement of New Jersey under its English masters began in 1665 when Elizabethtown was founded. The colony grew rapidly under English rule and the people fared well. It is said that in 1675 there was not a single poor person in the whole colony of New Jersey.

A third colony formed out of the territory transferred from the Dutch to the English was Delaware. The foundations of Delaware were laid by the Swedes in 1638. But the Swedes were regarded by the Dutch as trespassers and invaders, and in 1655 they were compelled to acknowledge the Dutch as their masters. When the Dutch turned over their American possessions to the English, therefore, the Swedish settlements were included in the transfer.

The subsequent colonial history of Delaware is inseparably connected with that of Pennsylvania. This colony was founded in 1682 by William Penn. In Penn we see one of the most remarkable and interesting characters in our colonial history, "the wise founder of a state, the prudent and just magistrate, the liberal-minded law-giver and ruler." While a young man at college Penn fell under the influence of the Quakers, or Friends, and the teachings of this

 CHAP.
II

 New Jersey;
Delaware


Delaware River and Delaware Bay

 William
Penn

sect took such firm hold upon his mind and heart that he came to regard his religion as of more value to him than life itself. Once he was thrown into prison for writing a book without license to do so. He was told that if he did not renounce his religion he would remain a prisoner for life. "My prison," he said, "shall be my grave before I will budge a jot." He was released from prison, but he remained true to his convictions. The many persecutions to which he was subjected caused him to see in clearer light the rightfulness of toleration and to long for a society where there would be perfect freedom of conscience and complete toleration in religious matters.

It happened that an opportunity came to Penn to try a "holy experiment" in the art of government. When his father died he found himself possessed of an ample inheritance. A part of his estate was a claim against King Charles II for a debt of £16,000. The debt was discharged in 1681 by a grant to Penn of a tract of land extending westward from the Delaware River and containing about 48,000 square miles of territory,¹ a domain about as large as England itself. Penn, giving his province the appropriate name of Pennsylvania—Penn's woodland—began to plan for its development. To the Swedish and Dutch settlers already on his land he sent a letter containing these encouraging words: "You shall be governed by laws of your own making and live a free and, if you will, a sober and industrious people. I shall not usurp the right of any or oppress his person. Whatever sober and free men can reasonably desire for the security and improvement of their own happiness I shall heartily comply with." In 1682 Penn went out in person to his American province and assisted in establishing a government that rested upon principles as generous and as free as the world had ever known. One of his first acts was to make a treaty with the neighboring Indians. Penn met the chiefs of seventeen tribes beneath a great elm at a place just north of Philadelphia called Shaekamaxon—"the place of kings"—and bought from them their lands; and he entered into an agreement with them that the English and the Indians should live in peace

¹ When Pennsylvania was granted to Penn a dispute arose between Lord Baltimore and Penn as to the boundary between their grants. The issue was settled in 1767, when the Mason and Dixon's Line was established. This line separated Maryland from Delaware and Pennsylvania. The boundary between Maryland and West Virginia was not definitely settled until 1912.

and friendship as long as the sun gave light, an agreement that was sacredly kept by both parties for nearly seventy years.

Penn remained with his colonists for two years, and was then called back to England. When he returned in 1699 he found that wonderful changes had been made during his absence. More than twenty thousand white people had come to live in his province. Philadelphia, which in 1684 he had left a rude village, had grown to be a thriving city that was carrying on a profitable trade with England and the West Indies. In the city there were tanneries, potteries, saw-mills, flour-mills. Many of the houses were built of brick. Markets were held twice a week, and there were inns where the traveler could get good board and a comfortable bed.

CHAP.
II

Philadel-
phia

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include subjects treated in the main body of the text.]

- 1600 East India Co. receives its charter.
- 1602 Bartholomew Gosnold attempts to colonize New England.
- 1603 James I becomes king of England; union of the English and Scottish crowns.
- 1604 Port Royal, Acadia, founded by the French.
- 1605 George Weymouth visits the New England coast.
- 1606 Colonies of Virginia and Plymouth incorporated with a grant of land between the thirty-fourth and forty-fifth degrees of latitude.
- 1607 Lord Popham founds a colony on the Sagadahoc.
- 1608 Captain John Smith chosen as president of the Jamestown colony. Pilgrims leave England and settle in Leyden.
- 1613 French colony is founded on Mount Desert Island. The colony is promptly broken up by the English under Samuel Argall.
- 1614 Captain John Smith sails along the New England coast and explores its harbors.
- 1618 Sir Walter Raleigh executed.
- 1619 Sir George Yeardley made colonial governor of Virginia.
- 1620 Council for New England organized to take the place of the Plymouth Co.
John Carver made governor of the Plymouth colony.
- 1621 Dutch West India Co. organized in Holland.
- 1622 First weekly newspaper published in England.
- 1624 Peter Minuits governor of New Netherlands.
- 1625 Charles I becomes king of England.
- 1627 Lord Baltimore attempts to found a colony in Newfoundland.
- 1628 Charles I is forced to assent to the Petition of Right, directed against the abuse of the royal authority.
John Endicott founds a colony at Salem.

- 1629 English Parliament dissolved; for eleven years there is no Parliament.
John Winthrop chosen governor of Massachusetts.
- 1630 Boston founded.
- 1632 Sir George Calvert, first Lord Baltimore, obtains from King Charles a promise of a grant of land, now Maryland, but dies before the charter is granted.
Cecilius Calvert, second Lord Baltimore, receives a charter for a colony in Maryland.
- 1635 Hartford, Connecticut, founded.
- 1636 Springfield, Massachusetts, founded.
- 1637 Pequot War in New England; the Pequots are subjugated.
- 1638 Delaware settled by the Swedes near the site of Wilmington.
Mrs. Anne Hutchinson, a gifted and earnest woman, banished from Massachusetts on account of her religious belief, goes with some followers to Rhode Island and founds Newport.
- 1639 New Haven colony founded.
First printing office in America was established at Cambridge.
People of Connecticut adopt the first written constitution.
- 1640 New Hampshire forms a union with Massachusetts.
- 1642 War between Charles I and Parliament.
Sir William Berkeley appointed governor of Virginia.
- 1643 Louis XIV becomes king of France.
- 1644 Union of the colonies of Providence and Rhode Island.
Blue Laws passed by the general court of Connecticut, providing that the judicial laws of God as they were delivered to Moses shall be binding on all offenders.
- 1646 John Eliot preaches his first sermon to the Indians.
- 1647 Peter Stuyvesant made the governor of New Amsterdam.
Charles I delivered up to Parliament.
Law passed in Massachusetts requiring every township of fifty householders to have a school-house and employ a teacher; if the town has one hundred freeholders it must support a grammar-school.
- 1651 Navigation Act passed by Parliament. (It provided that goods purchased in Asia, Africa, or America must not be brought into any British port except in English owned and manned ships; that European goods should be taken to England, or the British possessions, either in English ships or in the ships of the country in which the goods were produced; that the coasting trade in British dominions should be carried on in British ships. The underlying purpose of the law was to build up English shipping and at the same time cripple the carrying trade of Holland, the country which was pushing to the front as a trade rival of England.)
- 1653 Oliver Cromwell made lord protector.
- 1655 Stuyvesant conquers New Sweden (Delaware).
Conquest of Jamaica from the Spanish by the English.
- 1657 Cromwell refuses the English crown.
- 1659 Quakers in Boston persecuted, two being put to death.
- 1660 Charles II restored to the throne.
- 1662 Charter obtained from Charles II merging New Haven into Connecticut.
- 1663 Parliament passes a Navigation Act which virtually prohibits the colonies from receiving any commodities which are not laden and shipped in Great Britain.
- 1665 Union of the Connecticut and New Haven colonies effected.

- 1669 Locke's "Fundamental Constitutions." (This was a fantastical scheme of government for Carolina drawn up by the philosopher, John Locke. It provided in great detail for the division of the colonists into classes. There was to be an upper or governing class consisting of landgraves, or earls, and caciques, or barons. Below the governing class there was to be a lower class whose status was to be virtually that of serfs. Locke's scheme was wholly unsuitable to the conditions which prevailed in the colony, and it failed to work.)
- 1670 Charleston, South Carolina, founded.
Incorporation of the Hudson Bay Co.
- 1675 King Philip's War. (When this war was ended, in 1676, the Indian power in New England was forever destroyed.)
The lords of trade appointed as a standing committee of the king's council for the supervision of the colonies.
- 1676 Nathaniel Bacon rises in rebellion against the oppression of Berkeley. (Bacon burned Jamestown, Berkeley taking refuge in an English vessel in the harbor. In 1677 Bacon died and the rebellion collapsed. Of those who participated in the rebellion twenty-three were executed.)
- 1677 Maine purchased by Massachusetts.
- 1681 William Penn receives his patent for Pennsylvania.
- 1682 Philadelphia founded by William Penn.
East Jersey purchased from the Carteret heirs by the Quakers.

Suggested Readings

- Colonization: Van Metre, pp. 33-54.
Motives for colonization: Bogart, pp. 29-34.
Colonial industries: Lippincott, pp. 57-88.
The Puritans in England: Cheyney, pp. 216-227; Green, pp. 462-464.
Charles I: Green, pp. 514-534.
Oliver Cromwell: Green, pp. 547-559.
The influence of the Appalachian barrier: Semple, pp. 36-52.
King Philip: Hitchcock, pp. 44-56.
The Jerseys: Andrews, pp. 101-129.
Early colonial education: Dexter, pp. 1-72.
The mercantile system: Bogart, pp. 90-103.
The coming of the foreigners: Channing, Vol. II, pp. 491-527.

III

COLONIAL DEVELOPMENT

THE COLONIES AT THE OPENING OF THE EIGHTEENTH CENTURY

Population

AT the opening of the eighteenth century the settled portion of British America consisted of a strip of seaboard territory which was more than 1200 miles in length but which in many places extended into the interior only a few miles. The combined population of the twelve colonies in 1700 was about 250,000, not counting Indians but including negro slaves. Where so few people were scattered over such an immense area the civilization could only be a rural one. Towns and cities were, indeed, few and far between. Boston was the largest and most important place in New England, its population being about 7000. New York City had a population of a little more than 5000. Philadelphia, although but recently founded, was already the largest city in America. Its population was more than 10,000, and it was growing at a rapid rate. In Maryland, Virginia, and North Carolina life was almost entirely rural. Norfolk, indeed, had become a busy little seaport, but it was still a village. Charleston, however, had grown to be a place of considerable size.

Towns and
Cities

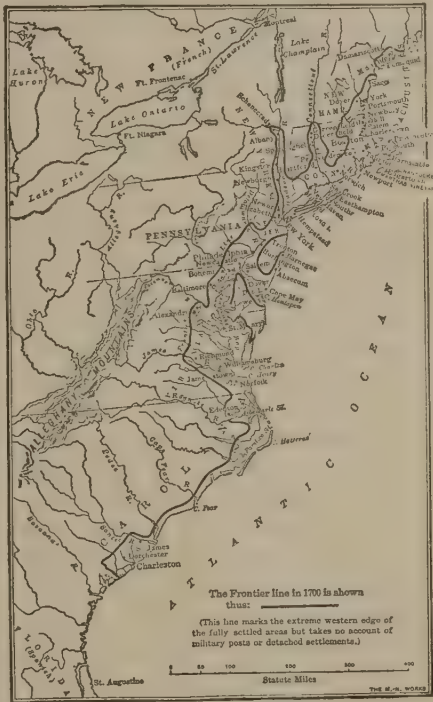
The
Cheapness
of Land

The chief occupation in all the colonies was farming. Almost everywhere a farm could be had for a song. The cheapness of land was the outstanding economic fact of American life throughout the whole of the colonial period. "Land being thus plenty in America," said Benjamin Franklin in 1751, "and so cheap as that a laboring man that understands Husbandry, can in a short time save money enough to purchase a piece of land sufficient for a plantation whereon he may subsist a family, such are not afraid to marry; for if they look far enough forward to consider how their children when grown up, are to be provided for, they see that more land is to be had at rates equally easy." In theory the title to American soil was in the king or in those to whom he had granted it, but in practice the actual cultivator was generally the virtual owner of the land he tilled. In the royal provinces land was purchased from

the crown by application to the royal governor; in the proprietary colonies it was parceled out by the proprietor to individual buyers. But whether the title passed from the crown or from the proprietor the land purchased was subjected to a quit-rent to be paid annually forever to the grantor. The quit-rent was usually an insignificant sum, two shillings on each hundred acres being the ordinary amount. The possessors of large grants, being always desirous to secure settlers, sold their land to small holders on extremely liberal terms. For example, an offer to settlers in the Carolinas said that "every Freeman and Free-woman that transport themselves and Servants by the 25th of March next, being 1667, shall have for himself, wife, Children and Men-Servants for each 100 Acres of Land for him and his heirs forever, subject to a yearly quit-rent of at most 1½d. per acre."¹

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The
Colonial
Land
System



The Frontier Line in 1700

In Virginia likewise the London Co., in order to encourage settlement, gave one hundred acres of land to any resident who would bring a laborer to the colony. In New England the settlers obtained full possession of the soil. To every town the general court granted a tract of unimproved and uncultivated land about six miles square. This land was a gift not to individuals but to the community at large. In the development of the town the land was allotted to individual owners by the action of the town meeting. Waste or unallotted land was held in common for the

¹T. W. Van Metre, "Economic History of the United States," p. 47.

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benefit of all. In New England and the middle colonies the farms as a rule were small. In New York, however, this was not the case. Under Dutch rule immense private estates located on the banks of the Hudson River had been granted to proprietors known as patroons. When the English became the masters of New York they followed the system of their Dutch predecessors and granted vast tracts of land to single owners. Some of these New York estates were of enormous size, the Van Rensselaer plantation alone containing more than a million acres and comprising several townships. In the South the plantations as a rule were large because the staple Southern products, tobacco and rice, could be most profitably cultivated on a large scale. The plantations ranged in area from 1000 to 50,000 acres.

The
colonial
Farmer

The typical colonial farmer did a great deal more than till the soil. He hunted in the woods, he fished along the banks of streams, he trapped fur-bearing animals, he felled trees and made rough planks, staves, and shingles. The colonial farmer accordingly had something besides grain to sell, for there was always a good market in the West Indies for his dried fish and for his timber.

The Fur
Trade,
Fishing and
Ship-
building

Next to farming, the most important occupation was fur trading. There was a strong demand in Europe for American furs, and the colonial fur trade was highly profitable. Fishing also was a lucrative industry, especially in New England. In Massachusetts alone hundreds of vessels and thousands of seamen were engaged in the cod and whale fisheries. Another flourishing industry of early New England was ship-building, for the primeval forests supplied masts and planks and other materials for making ships at little cost.

Manufac-
tures

Manufactures in America made little progress in the colonial period. England had manufactures of her own, and they were the breath of her industrial life. She did not want colonial manufacturing to flourish, and she took care to nip it in the bud. In 1699 Parliament passed the Woolen Act, which made it unlawful to send woolen goods out of the colony or from one colony to another or from one place to another in the same colony, for purposes of sale. This meant that colonial cloth could not be sold at all; if any was made it must be used in the household in which it was woven. It was the general policy of England to restrict the colonies to the production of raw materials. She pursued this policy because she believed that by importing only raw materials and working these up at home into manufactured articles she could always keep the



Portrait of William Penn, in his twenty-second year

Wm Penn

balance of trade in her favor. Hence when she confined her colonies to raw materials she did so not with the view of oppressing the colonists, but for the purpose of increasing her power in the only way in which she then believed she could increase it.

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Commerce flourished along the whole length of the colonial seaboard. In South Carolina the exports were rice and indigo; in North Carolina, they were naval stores, tar, pitch, and turpentine; in Maryland and Virginia the staple export was tobacco; the middle colonies sold grain, lumber, products, hides, and furs. With the exception of furs, tobacco, and indigo, the export trade of almost every colony consisted of articles for which the chief demand was in the West Indies. To these islands the merchants of Massachusetts and Rhode Island sent fish, salted meats, barrel staves, and lumber, receiving in exchange molasses, much of which was manufactured into rum. The rum was sent to the Guinea coast and exchanged for captive negroes, most of whom were transported to the West Indies and exchanged for molasses. Some of the slaves were brought to Virginia and a few to New England. The profit of this triangular traffic was sometimes enormous. A slave purchased in Africa for one hundred gallons of rum, worth ten pounds, brought from twenty to fifty pounds when offered for sale in the colonies.

Commerce

Trade was confined chiefly to the seaports. Road building on a large scale had not yet begun. In Massachusetts some of the principal towns were joined by roads, and by 1704 Madam Knight could travel on horseback from Boston to New York; but she was compelled to say that the journey was one of great discomforts and inconveniences. In New York the roads were so bad that vehicles could not move on them, and there were only two coaches in the whole colony. From New York southward the traveler on horseback might make his way safely as far as Norfolk, but it was still impossible to make such a journey in a wheeled vehicle. Still, the means of communication permitted the operation of a postal system. The colonial post-office had been established, and a letter could be sent from Boston to Williamsburg in Virginia. But if the cross-country trade was difficult, transportation by water was everywhere easy. In Virginia and the Carolinas the waterways were so satisfactory that little effort was made to build roads. The waterways of the middle colonies and of New England were also favorable to trade.

Transporta-
tion

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Money

The greatest drawback to commerce in the early colonial days was the lack of money. Trade with the Indians was carried on largely through the use of wampum or shell money. In no colony was there much gold or silver. Much of the trading had to be effected by barter; that is, one commodity had to be exchanged for another, corn for fish, a horse for a cow, a pair of shoes for a coat. In Maryland and Virginia tobacco was used as a substitute for money. In New York wampum often passed as money among the settlers. In New England corn was used as a medium of exchange. Massachusetts in 1652 established a mint at which shillings and sixpences were coined, and the pine-tree shillings turned out by this mint had a wide circulation. In 1690 Massachusetts set the example of issuing paper money, and it was not long before paper currency became common not only in Massachusetts but in the other colonies also.

Every-day
Life in the
Colonies

In his every-day life the colonist faced the hard conditions of a wild and primitive civilization. His settlement was planted in a forest, and for many years he lived with woods all around him. Where everything was wild and rough, there was a vast amount of hard work to be done. If the land was to be made fit for tillage, the forests would have to be cleared, and the settler's ax must swing from morning till night all the year round. Besides, roads must be opened, dwellings must be erected, and mills and stores and workshops must be built. Back of the settlement there were the enemies that roamed on the great dark woods: panthers and bears and wolves and Indians. Early America, therefore, was no place for idlers or cowards. It was a place to be won by men who could use an ax and spade and plow as well as the rifle and the sword.

The
Colonial
Home

And life within the colonial home was almost as hard as it was outside. In the early days the settler's dwelling was a rude cabin built of logs. Later it was a frame structure with several rooms. But it was not a comfortable abode. Its most important room was the kitchen, with its big fireplace, where all the cooking was done. As yet, neither in the Old World nor in the New was there such a thing as a stove. In the chimney above the fireplace was an iron bar from which hung the pots and kettles, while beneath blazed the great log fire at which the food was cooked. The kitchen was the only room in the house that was heated. In severe weather even the cooking-room was a cold place, for the heat of the log fire could be felt only a few feet away. One writer tells us of the ink

freezing on his pen as he wrote beside the chimney. The house was lighted as poorly as it was heated, for there was not even a good oil lamp to drive away the darkness. In many a colonial home the only light was a burning knot, or stick of pine. And the houses were poorly furnished. Often the dining-table was simply a long board three or four feet wide with trestles at each end to support it. Dishes were often made of wood.

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In the plain colonial home were done a great many things that are now done in factories or shops or mills. The wool which the farmer raised was spun into yarn and woven into cloth and made into clothes by the members of the family. Thus the man who cut the wool from the back of his sheep wore the very same wool on his own back. In this household industry all took a part. A pleasing picture of a colonial family engaged at the task of spinning and weaving is drawn by Alice Morse Earle:

Household
Industry

Often by the bright firelight in the early evening every member of the household might be seen at work on the various stages of wool manufacture. The old grandmother at light and easy work such as carding the wool into fleecy rolls. The mother spins the rolls into woolen yarn at the great wheel. The oldest daughter sits at the stick-reel. A little girl at a small wheel is filling quills with woolen yarn for the loom. The father is setting fresh teeth in a wool-card, while the boys are whittling hand-reels and loom-spindles.

In almost every colony religion was a powerful element in the lives of the people. The church was the colonial community center. Sunday was regarded as a holy day and everybody was expected to keep it holy. Any one guilty of breaking the Sabbath was severely punished. In some of the colonies attendance at church was compulsory. By 1700 a number of different faiths had gained a foothold in the colonies. In Virginia and the Carolinas, the Church of England—the Episcopal Church—was the leading denomination, although in these colonies there were a large number of Quakers and Baptists. In Maryland the Catholics were still strong in numbers, but the ruling classes belonged to the Episcopal Church. In Pennsylvania, Delaware, and New Jersey, the Quakers were the most powerful sect, although Lutherans, Baptists, and Presbyterians had gained a foothold in Pennsylvania. In New York there was as much diversity in the matter of religion as in other matters,

Religion

There was in the colony almost every denomination that could be mentioned, but no one church greatly overshadowed the others. In New England the Congregational Church, which was the church of the Puritans, prevailed except in Rhode Island, where the Baptists were the strongest religious body. Puritanism still ruled in New England, yet the power of the theocracy was no longer absolute.¹ Nor was the spirit of Puritanism so harsh and severe as it was in the early days when the foundations of New England were being laid. "The Massachusetts merchant," says Doyle, "could now build a fine house. He could choose furniture made of costly woods. He could cover his sideboard with valuable silver plate. He could import an English coach and horses. He and his family could dress expensively in imported stuffs." But it must not be thought that the old Puritan spirit had died out completely. Life in New England was still a sober and somber affair. Amusements were largely frowned upon: dancing was not yet allowed, stage plays were prohibited, and the players of foot-ball found little favor in the eyes of the rulers.

Education

Education in the colonies at the opening of the eighteenth century had made little progress. Conditions were still unfavorable for anything like a well-ordered system of popular instruction. Good teachers were hard to get, and schoolhouses were so far apart that children had to travel miles to reach one. The colonial schoolhouse was a shabby affair. It was nearly always built of logs and often had only a dirt floor. Yet in most of the colonies there was a keen appreciation of the blessings of education. Especially was this true in the Puritan colonies. "Child," said a New England mother, "if God make thee a good Christian and a good scholar, 't is all thy mother ever asked of thee." As early as 1647 there was a law in Massachusetts that every town of fifty families should have a school where children might learn to read and write. But these early schools were not free. New York education had flourished under the Dutch, but their English successors were slow in establishing schools. Efforts were made in New Jersey in the latter part of the seventeenth century to establish a system of public schools, but the century closed without any success in that direction. In Pennsylvania education was faring a little better. The assembly of that colony in 1692 passed a law providing that all who had charge of children should see that they were taught to read and

¹ See p. 21,

write by the time they were twelve years old, and numerous records show that the law was enforced. In 1697 the Penn Charter School was opened in Philadelphia. In Maryland there was an occasional private school, but no regular public schools had as yet been established. This was true also of Virginia and the Carolinas. Higher education had had a beginning. Harvard College was founded in 1636, William and Mary in 1693, and Yale in 1701.

By 1700 the groundwork of government in every colony was the charter, or the royal grant or concession. This was regarded as a pledge of good faith on the part of the home government, and it was the doctrine in the colonies that neither the king nor his officers could rightfully violate the provisions of the charter. Even a law of the colonial legislature was regarded as void if it was contrary to the charter. In all the colonies government was organized on the principle that power should flow in three streams, and in every colony there were three great departments, the legislative, the executive, and the judicial. The legislative branch in nearly all the colonies consisted of the lower house elected by the voters, and of a small upper house—usually known as the council—appointed by the governor. The legislature could pass any law that was not contrary to the law of England, and its statutes related to almost every subject of governmental concern. The lower house had full control in respect of the raising and spending of money. The head of the executive department was the governor, a most important political personage in colonial life. In Connecticut and Rhode Island the governor was elected by the people; in the other colonies he was appointed either by the proprietor or by the king. The council, besides acting as one of the branches of the legislature, assisted the governor in the discharge of his duties. In every colony there was a judicial system, the judges of which were appointed by the governor, or by the king through the governor. In all the colonies the right of suffrage was made dependent upon the ownership of a certain amount of property, and only the male adults could vote.

In all the colonies there were counties and county officers. In the southern colonies, the county was the only local government. The Virginia county, modeled after the English shire, was for a long time a close corporation and was virtually an aristocracy of large landholders. But the English shire did not suit the conditions which prevailed in New England. Here, since the tillable

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III

The
Ground-
work of
Colonial
Govern-
ment

Local
Govern-
ment

land was divided by nature into small areas marked off by bold hills and troublesome streams, the settlers found it convenient to build their houses as close together as possible and settle in compact villages rather than to spread out on large plantations. The form of local government adopted for these thickly settled communities was one that had almost perished from the earth. The ancient town or village meeting that the Anglo-Saxons had brought with them to England a thousand years before was revived in its ancient form and vigor and made to do duty in the Puritan communities. The town was a pure democracy in which all the adult male inhabitants who were church-members had a voice. The New England town was chosen as an agency of local government throughout all New England, and under its stimulating and healthful influence there was developed a citizenship that has received the admiration of the world.

The powers exercised by the colonial governments were very large. The colonial legislature could legislate on all matters pertaining to the welfare of the colony, but it could not infringe upon the law of England. If a colonial law was contrary to the law of England it could be vetoed by the king. The royal veto was sometimes brought into use, but in most things each colony was a self-governing community left to manage its own affairs in its own way. It was a recognized principle that the colonies might legislate for themselves as they pleased, provided their laws were consistent with allegiance to the crown and were not contrary to those acts of Parliament in which the colonies were expressly mentioned. The independence enjoyed by the colony in matters of legislation is the cardinal fact of our colonial political history.

PUSHING BACK THE FRONTIER LINE

After the founding of Pennsylvania a half-century passed before another colony was planted.¹ During this interval it was more desirable to develop the existing colonies than to organize new ones. The development consisted mainly in pushing back the frontier line—the line which divided the settled country from the wilderness, civilization from savagery—and bringing vacant lands under cultivation. In New England and New York the rapid settlement of the back country was for many years rendered impossible by

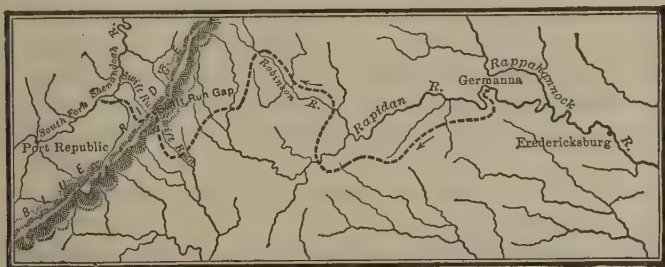
¹ In 1733 the colony of Georgia was founded on the Carolina coast under the leadership of James Oglethorpe, the first settlement being Savannah.

unfavorable conditions arising out of conflicts on the frontier between the English and the French. In Virginia, Maryland, and Pennsylvania, however, settlements were carried westward in energetic fashion. In 1716 Alexander Spotswood, the governor of Virginia, took with him a party of fifty men and pushed out into the Shenandoah Valley. Soon English settlements began to appear in the valley, and by 1750 the frontier line in Virginia had moved westward as far as the Blue Ridge Mountains. The expedition of Spotswood was the first step in the mighty westward movement.

The rapid development of western Virginia and western Pennsylvania was due largely to the industry and enterprise of German and Scotch-Irish immigrants who at the close of the seventeenth and the opening of the eighteenth century began to come to America

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The
Pennsyl-
vania
Dutch



Spotswood's Route: The first road to the West

in large numbers. The German new-comers—Pennsylvania Dutch they were called—made their first settlement in Pennsylvania in 1692 at Germantown, near Philadelphia. From this place they moved westward. As they were excellent pioneers, the great forests of Pennsylvania fell rapidly before the heavy strokes of their axes. In 1700 Lancaster was founded, and by 1730 they had reached the Susquehanna and had founded Harrisburg. They settled the Cumberland Valley, and moved on down into the Shenandoah Valley.

Hand in hand with the Germans in the settlement of western Pennsylvania went the Scotch-Irish. These people began to arrive in America about 1715, and it is probable that by 1770 half a million of them had settled in the colonies. They settled in all parts of British America but most of them found homes in Pennsylvania. Like the Pennsylvania Dutch, the Scotch were good pioneers. They made settlements wherever they could find unoccu-

The Scotch-
Irish

pied lands. They paid little attention to the claims of the Indians, as they said "it was against the laws of God and nature that so much good land should be idle while so many Christians wanted it to work on and raise their bread."

Thus through the industry and enterprise of pioneers the strip of English civilization on the American coast rapidly grew wider. Between 1700 and 1750 the frontier line in some places was carried westward over the Blue Ridge Mountains even to the crest of the Alleghanies. With this increase in the area of settlement there was of course a corresponding increase in population. It is probable that in 1750 there were in the thirteen colonies a million white people and a quarter of a million negro slaves.

THE STRUGGLE FOR A CONTINENT

The French
in the
Mississippi
Valley

By the time the English were ready to carry their settlements westward beyond the Alleghanies the French had established their power in the Mississippi Valley. The movement which carried the French into the valley began in the reign of Louis XIV, who desired to build up in America an empire which would redound "to the glory of God" and to his own honor. In accordance with his wishes exploration in America was carried forward in every direction and with renewed zeal. In 1670 at the Sault Sainte Marie, Saint Lusson took possession in the name of Louis XIV of all the territory from the North to the South Sea extending to the ocean in the west. Three years later Joliet and Marquette by the route of the Fox-Wisconsin waterway reached the Mississippi and in their light canoes paddled down the stream as far as the mouth of the Arkansas. After Joliet and Marquette came Robert La Salle, who explored the Mississippi to its mouth and, landing on one of the banks of the great stream, took possession in 1682 of the surrounding country in the name of the king of France, calling it Louisiana in honor of the king. France was now in possession of the St. Lawrence Valley, the Great Lakes region, and the Mississippi Valley. The English by this time were the masters of only a narrow strip of coast land; the French had gained possession of the heart of the American continent.

The
Border
Wars

But England and France were jealous rivals for power both in the Old World and in the New, and it was only a matter of time when the ancient enmity of these two nations would show itself in American affairs. The first clash came in 1689 when the inter-

ference of the French king in the affairs of England brought on a war—King William's War—which spread to America and which consisted chiefly in a border warfare between the French and Indians on one side and the colonists of New York and New England on the other. After many raids upon the English settlements and after many retaliatory expeditions, the war was brought to an end in 1697 by the Treaty of Ryswick, under the terms of which each country was restored to the territory it possessed at the outbreak of the war. The Treaty of Ryswick settled nothing of real importance, and within five years England and France were again at war. In 1702 the king of France, Louis XIV, placed his grandson on the throne of Spain. This extension of French influence was resented by England, and there followed a war which spread to America, where it was known as Queen Anne's War. This war was simply King William's War over again, except that in Queen Anne's War the border warfare was confined to the frontier communities of New England. In 1710 an expedition from New England attacked Acadia (Nova Scotia) and gained possession of the peninsula. In 1713 the war was brought to a close by the Treaty of Utrecht. Under the terms of this treaty Nova Scotia and Newfoundland were given to England. In Queen Anne's War, accordingly, France received a real blow, for she lost to England a valuable portion of her American possessions. For thirty years after the Treaty of Utrecht the French and English in America lived in peace. In 1744 there was a third clash, known as King George's War. This war had little significance, for when it was brought to an end in 1748 by the Treaty of Aix-la-Chapelle it was agreed that all conquests made during the war should be mutually restored.

CHAP.
III

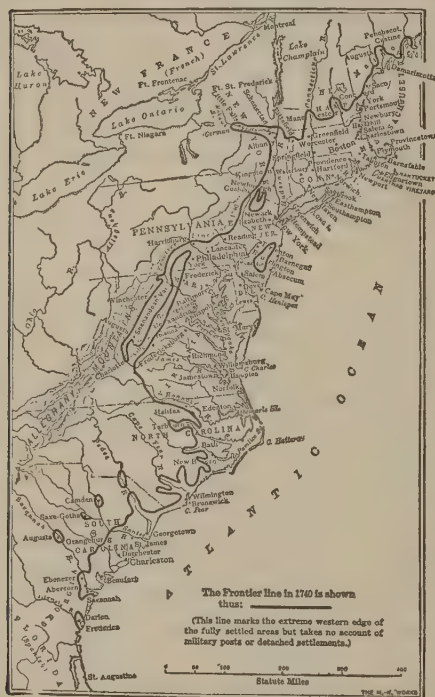
All the time the border wars were in progress the French were busy in the Mississippi Valley making settlements, building forts, and in many ways making a great show of strength in the New World. In 1716 Natchez was founded and two years later the streets of New Orleans were laid out. Forts were built on the Mississippi, the Illinois, and the Wabash and on the shores of the Great Lakes.

French
Forts and
Settlements

But the power of France in America was by no means so great as it seemed to be. The things done by the French were insignificant when compared with the things done by the English. In 1750 there was more real civilization, more "seeds of things," in the town of

The French
and English
Colonial
Systems
Compared

the colonists were treated as underlings; they were allowed no voice in government and were compelled to obey officers sent out by the French king. In British America the colonists were treated as freemen and were allowed to govern themselves. In New France the colonists were in most things mere automats; they could not act for themselves but had to behave strictly according to the wishes of the far-away home government. In British America the colonists were thrown upon their own resources and could do what in their judgment



The Frontier Line in 1740

ought to be done. As a result of these differences in colonial policy, British America ran ahead of New France in industry, in trade, in education, in wealth, in population. In 1750 the French in America numbered only about 80,000 while the English numbered more than a million. In the entire Mississippi Valley there were at this time probably fewer than 5,000 Frenchmen.

Still, the power of the French in America by 1750 was becoming a menace to the British. England was now seeing clearly that if the great Mississippi Valley should fill up with Frenchmen a tide

England Attempts to Check the French Advance

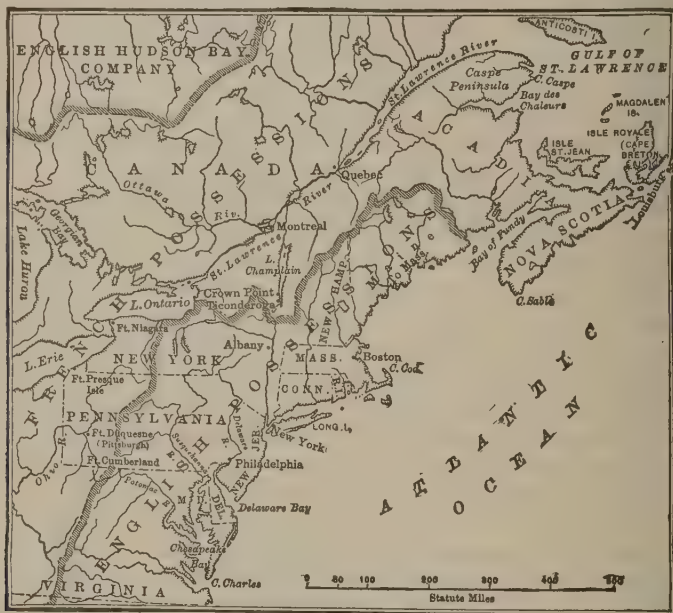
of French power and French civilization would sweep eastward over the Alleghanies, subjugate the English colonies along the coast, and at last drive the English from the face of the American continent. England accordingly determined to check the growing power of France in the valley. In 1749 the king of England granted to some Virginians an immense tract of land along the Ohio. This step was regarded by the French as an encroachment. Soldiers were at once sent down from Canada to take formal possession of the Ohio Valley and drive away all English intruders. The French also began to prepare for a conflict. In order to strengthen their position at the entrance of the Ohio region they built in 1752 a chain of three forts, one at Presqu'isle (Erie), one twenty miles away at Leboeuf, and one at Venango (Franklin, Pennsylvania). Robert Dinwiddie, the governor of Virginia, promptly sent George Washington, the young adjutant-general of the Virginia militia, to remonstrate with the French against occupying territory which was "so notoriously known to be the property of the crown of Great Britain," but the governor was given to understand that the French would not budge an inch from their position. The governor now determined to force the issue. He made an attempt to build a fort at the forks of the Ohio—the junction of the Allegheny and Monongahela—and thus command the gateway of the Ohio Valley. But Dinwiddie's men were driven from the forts by the French, who themselves built a fort upon the spot, calling it Fort Duquesne. In the first movement, accordingly, the French won their point; New France was now in complete possession of the West.

The expulsion of the French would have been the easiest of tasks had there been united action on the part of the colonies, for the English colonists in America at this time outnumbered the French thirteen to one. But the spirit of union was lacking. Only in Virginia and New England were the people really eager to help in beating back the French power. In most of the other colonies petty jealousies and local interests arose to prevent union and co-operation. The spirit of disunion which was rife showed itself in the reception given to a scheme of union which was drawn up in 1754 by Benjamin Franklin and adopted at Albany by delegates from seven colonies. This scheme, known as the Albany Plan of Union, provided for a central "grand council" in which each colony should be represented according to its population—a foreshadowing of the future national House of Representatives. The

grand council was to have such powers as would have enabled the colonies to throw their united strength against the French. But the time for colonial union had not yet come. The Albany plan was not well received either at home or in England. When it was submitted to the several colonial assemblies it was in every instance rejected.

England
Moves
Against the
French

While the colonies were hesitating and wavering England was preparing for war. In 1755 British regulars under General Brad-



Scene of the French and Indian War

dock were sent to Virginia and plans were made for sending four expeditions against the French. One was to proceed against Fort Duquesne; another was to proceed by water from New England against Acadia and Louisburg; a third was to move from Albany against the French fort at Niagara; and a fourth was to march against Forts Ticonderoga and Crown Point and thence against Quebec. The first expedition led by Braddock (in 1755) ended in a disastrous failure and left the French secure in their position at the forts of the Ohio. The second expedition was more successful;

Acadia was seized, and the Acadians who were disaffected toward British rule were deported. After the seizure of Acadia in 1755 the war lagged until 1758, when William Pitt, the virtual ruler of England, took matters in hand. Pitt not only gave new life to the contest but he completely changed the policy of England in regard to American affairs. Up to this time the policy had been simply to prevent the French from encroaching upon English territory; the new policy, as molded by Pitt, was to drive the French from the American continent.

CHAP.
IIIWilliam
Pitt

In carrying out his bold design Pitt followed the military plans which had already been marked out. The expedition along the seacoast was completed, and in a few months Louisburg was in the hands of the English and the St. Lawrence was closed to the French. The expedition against Fort Duquesne was renewed, and that stronghold also fell quickly into the hands of the English. Next the fort at Niagara was captured, with the result that the French in Canada were cut off from the Ohio Valley. The purpose of three of these expeditions had now been accomplished. The fourth expedition was brought to a successful end by General Wolfe, who met Montcalm on the Plains of Abraham and precipitated the unconditional surrender of Quebec to the English.

England's
Success

With the surrender of Quebec the French and Indian War, as the struggle was called, virtually came to an end. The results of this war were seen in the Treaty of Paris which was concluded in 1763. By this treaty it was agreed that all French possessions east of the Mississippi except the town of New Orleans and the island on which it stood should be given to England. Thus the French and Indian War gave England not only Canada but also the eastern portion of the Mississippi Valley. In 1759 England, waging war with Spain as well as with France, had taken possession of the island of Cuba. By the Treaty of Paris she agreed to give Cuba back to Spain and in return to receive Florida. On the same day that the treaty was signed the French king secretly ceded to Spain the city of New Orleans and the country known as Louisiana, spreading westward from the Mississippi toward the Pacific. Thus France lost every foot of land she had in North America except only two little islands—Miquelon and St. Pierre—in the Gulf of St. Lawrence.

The Treaty
of 1763

OVER THE MOUNTAINS

CHAP.
IIIThe King's
Proclama-
tion

The expulsion of the French from America was a severe blow to the Indians, for to their minds it foreshadowed their own expulsion. The red tribes felt that just as the English had conquered the French so they would conquer the Indians and drive them from their hunting grounds. When the Ohio Valley, therefore, passed under English control the redskins in this region threatened at once to rebel against their new masters. The English Government, wishing to avoid trouble, took means to conciliate them. The king in 1763 issued a proclamation reserving for the use of the Indians all the territory west of the heads or sources of the rivers flowing into the Atlantic. This shut the white man out from all the land which lay between the Alleghanies and the Mississippi. The proclamation created widespread dissatisfaction in the colonies, for it was a virtual surrender to the Indians of the best and largest part of the territory which had just been received from the French.

Pontiac

The proclamation was issued in order to placate the Indians, but it came too late for its purpose. Before its terms were made known to the red men they had been led into a conspiracy by Pontiac, a chief of the Ottawas, to drive the English out of the Ohio Valley. This conspiracy resulted in the death of many settlers, but Pontiac was put down and compelled in 1766 to yield to British rule. Soon after the subjection of Pontiac and the tribes north of the Ohio, the tribes south of that river agreed to the treaty made in 1768 at Fort Stanwix, which provided that the Indians living south of the river should withdraw to the region north of it. The region north of the Ohio now became distinctly the "Indian country."

Kentucky

After the Treaty of Fort Stanwix pioneers pushed out into the western country in greater numbers than before. A steady stream of emigration flowed into the region now included within the borders of Kentucky and Tennessee. In 1769, Daniel Boone, setting out from North Carolina with a few companions, passed through the gorge of the Cumberland Gap and reached the blue-grass region of Kentucky. The expedition of Boone prepared the way for the rapid settlement of Kentucky. In 1774 James Harrod of Virginia with fifty men floated down the Ohio River in flatboats and, ascending the Kentucky River, founded the town of Harrodsburg. The next year Lexington was founded and two years later Louisville.

While Boone and his followers were laying the foundations of Kentucky other pioneers from Virginia and North Carolina were doing a similar work in Tennessee. In 1769 William Bean of Virginia built a log cabin on the Watauga River, and within a few years there had risen a Watauga settlement consisting of several hundred pioneers. Most of these, like most of the pioneers of Kentucky, were backwoodsmen of sturdy Scotch-Irish stock, "venturesome and turbulent, determined and religious, good hunters and good fighters."

CHAP.
III
Tennessee

The settlement of both Kentucky and Tennessee went on rapidly. Before the close of the colonial period there were probably 20,000 inhabitants in the settlements beyond the mountains. Thus within



Early Kentucky and Tennessee

a few years after the signing of the Treaty of Paris the westward movement had carried settlers far beyond the peaks of the Alleghanies, and the foundations of two Western States had been firmly laid.

CONDITIONS AT THE END OF THE COLONIAL PERIOD

At the end of the colonial period the colonies along the seaboard presented a scene which had all the evidences of a well-ordered society. A traveler in America in 1763 tells us that the most populous and flourishing parts of England made hardly a better appearance nor enjoyed a higher degree of civilization than did the New England colonies. With much truth the same thing might have been said of the middle and southern colonies also; for at the end of the colonial period every colony was well started on the path of progress.

A Well-ordered Society

The most significant feature of this progress was the rapidity with which the colonies were increasing in population. The million

The Growth of Population

CHAP.
III

and a quarter of souls that could have been counted in 1750 had by 1775 grown to something like two million. "Such is the strength," said Burke in the English House of Commons, "with which population shoots up in that part of the world, that, state the numbers as high as we will, whilst the dispute continues the exaggeration ends. While we spend our time in deliberations on the mode of two millions, we shall find we have millions more to manage."

A Rural
Civilization

In every colony life was essentially rural. "Some few towns excepted," wrote a colonist, "we are all tillers of the soil." In New England the products of the soil were hardly sufficient to support the inhabitants. In the south the tillage of large plantations and the almost exclusive employment of slave labor had developed into a regular system. Only in North Carolina and in districts far back from the coast did the small farmer thrive. In the northern colonies, on the other hand, the system of small holdings in land prevailed. Here an able-bodied man with even limited means could easily secure possession of a small tract of land and become an independent farmer.

Manufac-
turing

Manufacturing at the end of the colonial period was the weakest element of the economic structure. The repressive measures of Parliament¹ had done their work so effectively that by 1760 the manufacturing industries were of less importance than they had been in 1700. From one end of the seaboard to the other the people depended upon England for all the finer kinds of goods and for most of the articles of every-day use. Benjamin Franklin, writing of American manufactures in 1768, said: "In Massachusetts a little coarse woollen only, made in families for their own wear. Glass and linen have been tried, and failed. Rhode Island, Connecticut, and New York much the same. Pennsylvania has tried a linen manufactory, but it is dropped, it being imported cheaper. There is a glass house in Lancaster County, but it makes only a little coarse ware for the country neighbours. Maryland is clothed all with English manufactures. Virginia the same, except that in their families they spin a little cotton of their own growing. South Carolina and Georgia none."

Fishing
and Ship-
building

Men who were not engaged in tilling the soil looked chiefly to the sea for employment and profit. In New England fishing continued to be a leading occupation. After the Treaty of Paris of 1763

¹ See p. 32.



LA SALLE TAKING POSSESSION OF LOUISIANA

Americans could extend their fisheries as far north as Labrador, and by 1775 the crews of sixty New England ships were employed in the whale fishery. The mackerel and cod fisheries were even more important; in 1763 Massachusetts alone had four hundred vessels engaged in them. Ship-building also continued to flourish in New England. On the Piscataqua four vessels were sometimes built in a week, while the total number built in New England in 1769 was nearly four hundred.

Hundreds of these vessels were engaged in an ocean carrying trade that was building up the seaport towns and making their merchants rich. Next to agriculture, therefore, the stay and support of the colonies was commerce. The triangular molasses-rum-slave trade which was profitable in 1700¹ was still more profitable sixty years later. Another lucrative triangular trade had been established between seaboard towns, the West Indies, and England. A ship loaded, for example, at Boston, with salt fish, staves, and lumber would sail to the West Indies, exchange her cargo for sugar and molasses, and proceed to London. Having exchanged the West Indian products of the sugar islands for goods of British manufacture, she would return to Boston, clearing on the voyage a profit which was sometimes as high as 100 per cent. To a great extent colonial commerce rested upon the trade with the West Indies, yet ships went out from American ports to all parts of the world, to Surinam, to the Canaries, to the Levant, to Lisbon, and Madrid. The trade of the mother-country with her colonies gave employment to 1100 ships and 29,000 sailors. The New England fleet alone numbered 600 sail. The volume of trade between Great Britain and her colonies in 1770 is shown in round numbers in the following table:

	Exports to Great Britain	Imports from Great Britain
New England	\$650,000	\$1,750,000
New York	300,000	2,100,000
Pennsylvania	125,000	600,000
Virginia and Maryland	2,000,000	3,200,000
Carolinas	1,250,000	650,000
Georgia	250,000	250,000
Total.....	\$4,575,000	\$8,550,000

This table is full of instruction. It shows that of the exports to the mother-country nearly three fourths consisted of the tobacco,

¹ See p. 33.

rice, indigo, pitch, tar, and turpentine furnished by the southern colonies;¹ that the southern colonies were good customers of England; and that the balance of trade was nearly two to one in favor of Great Britain.

Smuggling

There was one aspect of colonial commerce, however, that no table of statistics could reveal. This was the practice of smuggling and of evading the revenue laws, a practice that was a perennial source of trouble between the English Government and the colonies. For more than a century Parliament by a series of Navigation Laws had undertaken to restrict colonial trade to ships built and owned either in England or in the colonies and to prohibit the colonies from trading with foreign countries unless the goods were shipped through England. But these acts had never been strictly enforced. In respect to the all-important West Indian trade they had been flagrantly disregarded. "Colonial captains," says R. G. Usher, "threw the statutes to the winds and sought the better market. The easy sale and the large profits, the willingness of officials and shipmasters to overlook statutes and grievances, and the lack of any coercive force to compel obedience resulted promptly in the development of a brisk and regular smuggling trade between the foreign sugar islands [i. e., the French, Dutch, and Spanish West Indies] and the colonial merchants. Fraudulent clearance papers, and the possession of several sets of false certificates by most ship-captains lent a specious legality to these practices." In 1733 Parliament in order to prevent the trade with the foreign sugar colonies passed the Molasses Act, imposing prohibitory duties on molasses, sugar, and rum imported into the American colonies from other than English possessions. But through smuggling the law soon became a dead letter. The colonists regarded the customs duties as unwarranted interference with trade, and they resorted to smuggling as an innocent device to secure redress for their wrongs. The result was that among a large class of merchants smuggling became one of the ordinary processes of commercial intercourse. It was carried on almost everywhere by everybody. Even the governors themselves sometimes shared in the profits of smuggling. Customs officers, who should have been the enemies of the practice, were as guilty as anybody. In 1765 Governor Bernard of Massachusetts said he did not believe there was an honest customs officer in America.

¹ See p. 33.

Smuggling could be successful because English law in the colonies was unsupported by public sentiment. The colonies had never taken the English Government very seriously, and by 1760 they regarded themselves as being virtually outside the authority of Parliament. Of their political competency to make their own laws they had no doubt whatever. It is true they were forbidden by their charters to enact laws repugnant to the laws of England.¹ Yet in one way and another they managed to govern themselves with such laws as they wanted even though they conflicted with enactments of Parliament. "The bottom of all the disorder," wrote Hutchinson of Massachusetts, "is the opinion that every colony has a legislature within itself, the acts and doings of which are not to be controlled by Parliament, and that no legislative power ought to be exercised over the colonies except by their legislatures."

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]'

- 1684 Governor Dongan of New York enters into a treaty which brings the Iroquois under the protection of the English king. (The alliance with the Indians gave the English a defense on the frontier which they sorely needed.)
- 1685 James II becomes king of England.
Revocation of the Edict of Nantes, accompanied by terrible persecutions of the Huguenots.
- 1686 Sir Edmund Andros appointed governor of New England.
- 1687 Andros attempts to seize Connecticut charter.
- 1689 James II abdicates his throne and William of Orange becomes king with the title of William III. (Upon hearing of the revolution in England the people of Massachusetts overthrew the government of Andros.)
- 1690 English settlements of Schenectady, New York, and Salem, New Hampshire, are destroyed by the French.
Port Royal captured by Sir William Phipps.
- 1691 Leisler's Rebellion. (After James II was driven from his throne his successor, William III, sent out a governor to take the place of Andros, who was governor of New York, as well as of New England. Before the new governor arrived, however, the common people of New York had chosen Jacob Leisler, one of their wealthy townsmen, as governor. When the governor sent out by William III reached New York, Leisler refused to recognize his authority. For this offense he was hanged as a traitor. This incident, known as Leisler's Rebellion, created a lasting bitter feeling between the upper and lower classes in New York.)
Massachusetts becomes a royal province, receiving a new charter.

¹ See p. 38.

- 1692 Salem Witchcraft. (The people of Salem, Massachusetts, and several neighboring towns became possessed of the notion that witches—persons in secret alliance with Satan—were among them. About 200 persons were accused, and since witchcraft was legally recognized as a crime scores of the supposed witches were arrested. Before the magistrates and people could regain their senses twenty innocent persons were tried, found guilty, and put to death.)
- 1696 The Board of Trade and Plantations established to supersede the Lords of Trade. (After 1696 the Board of Trade had the management of colonial affairs.)
- 1713 Treaty of Utrecht negotiated by England and France. (By its terms England was to have Acadia; the Iroquois were acknowledged as English subjects; Newfoundland was ceded to England; the Hudson Bay region was to be English territory. The treaty may be regarded as the beginning of American diplomatic history.)
- 1714 George I crowned.
- 1727 George II crowned King of England.
- 1729 Carolinas are separated, and two colonies, North Carolina and South Carolina, are formed.
- 1730 City of Baltimore was laid out.
- 1734 John Zenger arrested for publishing attacks upon the Government but acquitted upon the ground that what he published was true. (Strenuous efforts were made to secure his conviction, but no jury could be found to convict him.)
- 1741 New Hampshire finally separated from Massachusetts.
- 1742 Benjamin Franklin invents his celebrated stove.
- 1745 Louisburg taken from France by a force of British colonists under Sir William Pepperell.
- 1755 Acadians deported. (During the French and Indian War the English sailed into the Bay of Fundy and took possession of the country round about known as Acadia. As the Acadians were wholly disaffected toward the rule of the English it was thought good policy to rid the land of them, and seven thousand of these simple people—men, women, and children—were seized and carried to the colonies, being scattered along the coast from Massachusetts to Georgia.)

Suggested Readings

- Colonial development, 1660-1763: Van Metre, pp. 90-120.
 Vanguard of the westward movement: McElroy, pp. 1-61.
 Early transatlantic settlements: Semple, pp. 75-92.
 Beginnings of an era, 1760-63: Channing, Vol. III, pp. 1-29.
 Rivalry of England and France: Ogg, "The Opening of the Mississippi"; pp. 214-295.
 Commercial regulations, 1763-75: Lippincott, pp. 98-105.
 English and Spanish neighbors after 1763: Ogg, pp. 294-399.
 Education at the end of the colonial period: Dexter, pp. 73-89.
 Trade and Navigation Laws: Fisher, Vol. I, pp. 36-49.
 Early colonial writers: Trent, pp. 22-37.

IV

THE REVOLUTION

WITHIN two years after the signing of the Treaty of 1763 the legislative independence referred to in the last chapter was called into question by the British Government in such a way as to provoke a quarrel between the colonies and the mother-country. When the quarrel had led to deeds of violence and a peaceful settlement had become impossible, the War of the Revolution followed.

THE QUARREL

The immediate effect of the Treaty of 1763 upon the colonies was to weaken the ties which bound them to Great Britain. So long as the French were in Canada and in the Mississippi Valley the English settlements on the seaboard looked to the British Government to protect them from a power that might one day sweep southward and eastward and drive them from the face of the American continent. But after 1763 the fears of the colonists were no longer excited by the presence of the French. With them out of the way one of the strongest reasons the colonists had for cherishing the English connection was gone.

The Effects
of the
Treaty of
1763

The immediate effect of the Treaty of 1763 upon Great Britain was to give her the foremost place among the nations of the earth. For the French and Indian War was only one of the phases of the Seven Years' War of 1756-63, the outcome of which had tremendous significance for England. "The Seven Years' War," says Parkman, "made England what she is. It ruined France in two continents and blighted her as a world power. It gave to England the control of the seas and the mastery of North America and India, made her the first of commercial nations, and prepared that vast colonial system that has planted new England in every quarter of the globe."

But with empire came the concomitant burdens of debt and taxation. At the end of the French and Indian War England's debt was four times as great as it was when Braddock began his ill-

fated march toward Fort Duquesne. Much of the money which had been spent in driving the French from America had been taken out of the pockets of English taxpayers, and the heavy debt incurred during the war had been placed upon English shoulders. As soon as the war was over English statesmen determined that such financing must cease and that the colonies must pay their way. They need not contribute anything to the English treasury for the exclusive benefit of Englishmen but they must support the colonial establishment.

Even before the close of the French and Indian War England had made a move to improve her revenues by attempting to check the wholesale smuggling that was going on. She had grounds for taking firm steps in the matter, for she was being cheated outrageously. The money she received from the customs duties amounted to almost nothing, and the cost of collecting it was far in excess of the revenues received. But the methods she employed were bound to irritate the liberty-loving Americans. Custom house officers armed with "writs of assistance" were authorized to break into vessels, warehouses, and dwellings and search for goods that were supposed to be concealed with the view of escaping the customs duties. The writ commanded the person to whom it was directed "to permit and aid the customs officer to enter vessels by day or night, and warehouses, cellars and dwellings by day only, and break open chests, boxes, and packages of all sorts in search of contraband goods. The writ was general and did not specify a particular house or particular goods. . . . It was, in fact, a general authority to the customs officer to search everything and violate the ancient maxim that a man's house is his castle."¹ Writs of this kind were freely issued in Massachusetts and in some of the other colonies, but they awakened the deep resentment of the people. In Massachusetts James Otis came forward in 1761 and protested against the writs in a speech charged with such eloquence and power that it came to be known as the "opening gun of the Revolution."

In 1764 Parliament decided to take a hand in the administration of the colonial revenues. It renewed, modified, and made more stringent the Molasses Act of 1733.² The Sugar Act—as the new law was called—raised the duty on sugar and lowered that on molasses. It imposed heavier penalties for smuggling and pre-

¹ S. G. Fisher, "American Independence"; Vol. I, p. 52.

² See p. 50.

scribed regulations for enforcement so drastic that had they been carried out they would have put colonial trade in a strait-jacket. When it became known in America that Parliament was intending not only to pass the Sugar Act but was also planning its enforcement, men engaged in the West Indian trade felt that "sand was about to be thrown in the nicely adjusted bearings of a smoothly working commercial system." "The Sugar Act," said Stephen Hopkins, the governor of Rhode Island, "will put a total stop to our exportation of lumber, horses, flour, and fish to the French and Dutch sugar colonies. . . . Putting an end to the importation of foreign molasses, at the same time puts an end to all the costly distilleries in these colonies, and to the rum trade to the coast of Africa, and throws it into the hands of the French. With the loss of the foreign molasses trade the cod fishery of the English in America must also be lost. Ministers have great influence and Parliaments great power: can either of them change the nature of things, stop all our means of getting money, and yet expect us to purchase and pay for British manufacture?" In the eyes of Samuel Adams the Sugar Act was something worse than an economic blunder: it was a menace to political liberty. "If our trade may be taxed," said he, "why not our lands? Why not the produce of our lands and everything we possess and make use of? If taxes are laid upon us in any shape without our having legal representatives where they are laid, are we not reduced from the character of free subjects to the miserable state of Tributary Slaves?"

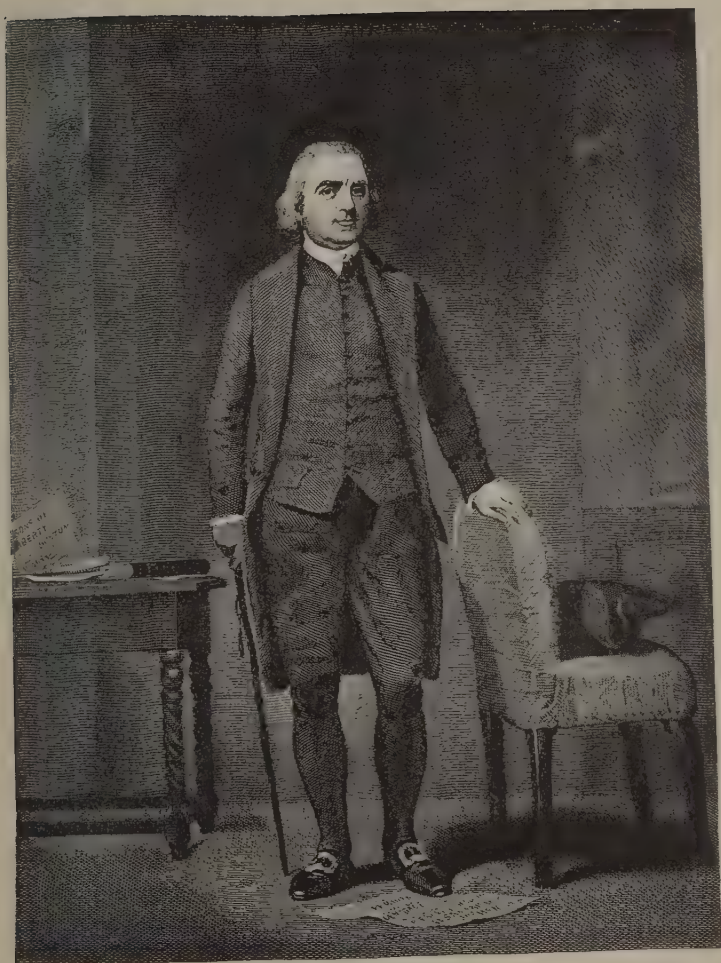
Samuel Adams foresaw what was coming. Immediately after the passage of the Sugar Act the English ministry proposed a law which provided that the colonists should place a government stamp ranging in price from threepence to ten pounds on a great variety of commercial and legal documents and upon certain publications, such as pamphlets, newspapers, almanacs, and advertisements. George Grenville, the minister who proposed the tax, said: "It is highly reasonable the colonies should contribute something toward the charge of protecting themselves and in aid of the great expense Great Britain has put herself to on their account. No tax appears to me so easy and equitable as a stamp duty. It will fall only upon property, will be collected by the fewest officers, and will be equally spread over America and the West Indies. . . . If the colonists think of any other mode of taxation more convenient to them, and make any proposition of equal efficacy with the stamp duty, I will

give it all due consideration." The colonists being silent on the subject of a substitute tax, Grenville brought the Stamp Act into Parliament, and it was passed in March, 1765, in both Houses with as little opposition as a turnpike bill. "The passage of the act," said Franklin, who was in London at this time, "could not have been prevented any more easily than the sun's setting." As for the legality of the tax, there was probably not a half a dozen members who did not believe that Parliament had full right to impose upon the colonies any kind of tax whatever. In England the passage of the Stamp Act created hardly a ripple of popular interest. "Nothing of note in Parliament," wrote Horace Walpole, "except one slight day on the American taxes."

Resistance

In the colonies it was far different. No sooner were the stamps ready for sale than resistance to the tax showed itself in a variety of ways. The offices of the stamp collectors were rifled, bells tolled the death of the nation, shops were closed, flags were hung at half-mast. In some places the stamps were seized upon by mobs and burned. Organized opposition to the act was strongest in Massachusetts and Virginia. In Virginia the party of resistance was led by Patrick Henry, who in May, 1765, hurried through the House of Burgesses, while it was sitting in committee of the whole, a resolution which declared that in respect to taxes Virginia was not subject to the authority of Parliament, that the assembly had the exclusive right and power to lay taxes upon the inhabitants of the colony, and that every attempt to vest such power in any other person or persons than the assembly was illegal, unconstitutional, unjust, and destructive of British as well as American liberty. From Massachusetts there was sent out a circular letter inviting all the colonies to send delegates to New York for the purpose of taking united action in regard to the Stamp Act. The proposed conference met in October, 1765, with delegates present from nine colonies. The Stamp Act Congress, as the meeting was called, claimed for Americans the same inherent rights as were enjoyed by Englishmen, and declared that since the colonists were not represented in Parliament—and from the circumstances they could not be—their only lawful representatives were those chosen as members of the colonial legislatures. The colonial assembly, therefore, was the only body that could impose a tax upon the colonists.

Thus both the Virginia resolutions and the declarations of the Stamp Act Congress raised a question that contained "a principle



Sam Adams

of fire”: Should the colonies be taxed without the consent of representatives chosen by themselves? A satisfactory representation of the colonies in Parliament was wholly impracticable and out of the question. Englishmen would hardly have been willing to accord proportional representation—the kind the colonists would have demanded,—for they saw that if the colonies, growing as they were in population and resources, should be allowed seats in Parliament according to numbers, it would be only a few decades before the American members in Parliament would be outvoting the English members. To the complaint of the Americans in respect to representation Englishmen replied that the colonies were already represented; that Parliament legally represented every man, woman, and child within the bounds of the British Empire. Massachusetts and Virginia, it was true, sent no representatives to Parliament. Neither did Manchester and Birmingham, yet who would say that those two cities were unrepresented in Parliament? What English notions of representation were may be learned from John Richard Green’s account of the composition of Parliament at this time: “Great towns like Manchester or Birmingham remained without a member, while members still sat for boroughs which like Old Sarum had actually vanished from the face of the earth. The efforts of the Tudor sovereigns to establish a court party in the House by a profuse creation of boroughs, most of which were then mere villages in the hands of the Crown, had ended in the appropriation of these seats by the neighboring landowners, who bought and sold them as they bought and sold their own estates. Even in towns which had a real claim to representation, the narrowing of municipal privileges to a small part of the inhabitants rendered their representation a mere name. The choice of such places hung simply on the purse or influence of politicians . . . the suffrage was ridiculously limited and unequal. Out of a population of eight millions of English people only a hundred and sixty thousand were electors at all. . . . Purchase was . . . the . . . means of entering Parliament. Seats were bought and sold in open market at a price which rose to four thousand pounds; and we can hardly wonder that a reformer could allege without a chance of denial: ‘This House is not a representative of the people of Great Britain. It is the representative of nominal boroughs, of ruined and exterminated towns, of noble families, of wealthy individuals, of foreign potentates.’ ” It was not in such a body as this that the colonists

wished to be represented; in truth they never seriously thought of being represented in the English Parliament at all. They were content with the representation which they had in their colonial legislatures. "Taxation without representation" was a popular slogan of great power in the early stages of the quarrel between England and her colonies, but neither side seriously hoped or strongly desired that the remedy of representation should be applied.

The fire kindled throughout the colonies by the Stamp Act burned with such a threatening flame that the British Government took alarm; it was fearful that it had gone too far. Its action was attacked on the floor of Parliament. Pitt in a fiery speech said that Parliament had entire authority to bind the trade of the colonists, confine their manufactures, and legislate for them in all cases whatsoever "except that of taking the money out of their pockets without their consents." Franklin, who was on the scene in London, told the House of Commons that it was of no use to try to enforce the Stamp Act; an army could not do it. Accordingly, upon the advice of Pitt, Franklin, and other leaders, the ministry caused the Stamp Act to be entirely repealed in March, 1766.

Along with the repeal, however, Parliament passed the Declaratory Act asserting that the colonies were, and of a right ought to be, subordinate to and dependent upon the crown and Parliament of Great Britain, and that the English Government had full power and authority to make laws for the governing of the colonies in all cases whatever. This was as much as to say that although Parliament out of deference to the colonists had repealed the Stamp Act, it had no intention of renouncing its power to tax them in whatever way it saw fit.

In spite of the fact that the Declaratory Act was a fly in the ointment, the repeal of the Stamp Act was regarded by the Americans as a victory for their cause, and there was great rejoicing in the colonies. But the joy was short-lived, for in the year after the repeal Parliament enacted two laws proposed by Charles Townshend for the regulation of colonial trade and the government of the colonies. The first of the Townshend Acts provided for a more rigid enforcement of the acts of trade already in existence. The second imposed duties on wine, oil, lard, glass, paper, and tea imported into the colonies. The revenue was to be used for paying the salaries of the governors, judges, and other colonial officers, it

being the avowed object of the English Government to make these colonial officials independent of the assemblies. For the collection of the duties strong measures were to be taken: writs of assistance were to be employed and persons accused of violating the customs laws were to be tried by admiralty courts without juries.

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Parliament hoped that the Townshend Acts would be acceptable to the colonies because the taxes imposed were external; that is, they were laid on foreign goods coming into American ports. There was an impression in England that the Americans objected only to internal taxes; that is, to such levies as their legislatures were accustomed to make. But Englishmen did not fully comprehend the situation. The real trouble with the Townshend Acts was that they were to be enforced; commissioners were to be sent to America to execute the provisions of the laws. All the colonists had said about the rightfulness of external taxes and the unconstitutionality of internal taxes was forgotten when they were brought face to face with an import duty that could not be evaded by smuggling. If money was to be taken out of their pockets, what difference did it make, some one wittily asked, whether it was taken from the vest pocket or from the waistcoat? Hence, when the test came, the colonists found that they objected to any kind of tax whatever, and their opposition to the Townshend Acts was as bitter as it had been to the Stamp Act. Their conduct was not so disorderly and riotous, but their resistance was fully as effective. They entered into an agreement not to import English goods so long as the duties were laid. The result of the boycott was that exports to America fell within a year from £2,400,000 (\$12,000,000) to £1,600,000 (\$8,000,000). The loss to British merchants was so disastrous that Parliament was forced in April, 1770, to repeal the duties on paints, glass, and paper, but the tax on tea was retained in order to assert the principle that Parliament had the taxing power. Thus Parliament was frustrated in the case of the Townshend Acts almost as completely as it had been in the case of the Stamp Act.

Resistance
to the
Townshend
Acts

The Non-
importation
Agreement

The tax on tea had been retained at the suggestion of George III. The king was now in full control of Parliament. "Not only did the king direct the Minister in all important matters of foreign and domestic policy, but he instructed him as to the management of debates in Parliament, suggested what motions should be made or opposed, and how measures should be carried. He reserved for

George III
and the
Colonies

himself all the patronage, he arranged the whole cost of the administration. . . . He disposed of military governments, regiments, and commissions and himself ordered the marching of troops." This great power was retained by the king for twelve years and, if we are to believe the historian, John Richard Green, the disasters which overtook the country within the fateful period of his supremacy lie wholly at his door. As he was an autocrat by nature, the democratic American colonists were objects of his peculiar aversion. His policy toward the colonies from the first was one of stern repression, and many times did they feel his heavy hand. "The following," said Thomas Jefferson, "is an epitome of the first sixteen years of George III's reign: The colonies were taxed internally and externally; their essential interests sacrificed to individuals in Great Britain; their Legislatures suspended; charters annulled; trials by jury taken away; their persons subjected to transportation across the Atlantic and to trial before foreign judicatories; their supplications for redress thought beneath answer; armed troops sent among them to enforce submission to these violencies; and actual hostilities commenced against them." Between George III, therefore, and the colonies there could be no friendly relation. Early in his reign he began to look upon his loving American subjects as rebels, while they in turn regarded their gracious sovereign as a tyrant.

A Division
of
Sentiment

The animosity toward the crown and the bitter controversy with Parliament over taxes gradually brought about a division of sentiment among the people, so that by 1770 two parties in the colonies were in process of formation. One of these took the side of England in the quarrel and because of its steadfastness was generally known as the Loyalist party, although its adherents were often called Tories. Among the Loyalists were the more important colonial officers, most of the leading men of wealth, and conservative people of all classes. The other faction was the American or Patriot party. These were the liberty-loving men whose loyalty to America caused them to forget their allegiance to England. For the most part they were radicals ready to resist the mother-country upon the least provocation.

Patriots
and Tories

For a while most of the aggressive Patriots were persons who moved in the lower walks of life, but in time men like George Washington, Thomas Jefferson, Benjamin Franklin, and John Adams aligned themselves with the Patriot party. In England the

Patriots' cause was strengthened by the action of powerful statesmen who supported the Americans in the taxation quarrel. Lord Camden said: "My lords, you have no right to tax America. The natural rights of man and the inevitable laws of nature are with that People." The great Pitt said: "Sir, I rejoice that America has resisted." Edmund Burke was opposed to taxing the colonies; he said that Parliament had the right to tax them, but that it was foolish to attempt to exercise the right. The Tory party in England was almost solid against the Patriots, but the Whigs generally took sides with them. There were contradictions and inconsistencies in the arguments used by the Whigs in defense of the Americans and in those used by the Tories in opposing them, yet English sentiment in regard to the colonies followed rather closely the line of existing party cleavage. As the quarrel grew more bitter party division grew sharper until at last the whole strength of the Tories with George III at their head was thrown against the Americans. Thus, in a sense the Revolution may be regarded as a civil war within the British Empire in which English and American conservatives were aligned on one side and English and American liberals on the other.

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At the head of the Patriots was Samuel Adams. In the fight with England Massachusetts led the colonies, Boston led Massachusetts, and Samuel Adams led Boston. Although he was a man of talent and education, and although he had reached the prime of life when the quarrel with England arose, Adams had as yet accomplished very little. After he was graduated at Harvard College he trifled for a while with the study of the law and then went into business for himself. But having no aptitude for business and being devoid of the acquisitive instinct he abandoned commercial pursuits and devoted himself to the service of the public. As a champion of popular rights his devotion was single-minded and his industry unflagging. It was he who led the opposition in Massachusetts to the Stamp Act, and it was he who brought about concerted action against the Townshend Acts. On March 5, 1770—the day that Parliament repealed the tax off paint, glass, and paper—the incident known as the Boston Massacre gave Samuel Adams another opportunity to serve the Patriot party. Some British soldiers who were stationed in Boston fired into a crowd, and four citizens lay dead on the snow-covered streets. The soldiers were not entirely to blame, for the crowd had pelted them with balls of

Samuel
AdamsThe Boston
Massacre

ice and had dared them to fire. The Bostonians flew into a rage. Drums beat and men, women, and children rushed into the streets crying for revenge. The Patriot party painted the affair in its darkest colors, representing it to be "a ferocious and unprovoked assault by brutal soldiers upon a defenseless people." Three thousand citizens flocked to Faneuil Hall, where angry speeches were made. At the meeting Samuel Adams urged that the troops be removed from Boston at once, contending that the British Government had no more right to maintain a standing army in the colonies than it had to tax them. At the request of the citizens he left the meeting and went before Governor Hutchinson with a demand for the immediate removal of the troops. Adams had his way: the troops were promptly taken to a place where their presence caused less resentment. From this time Samuel Adams held the Boston populace in the hollow of his hand.

A revolutionist by nature, Samuel Adams thought only in terms of revolt, and for revolution he worked day and night. He eagerly seized upon the Committee of Correspondence as an agency for welding the colonies into some kind of union so that the "thirteen clocks could strike at the same time." In November, 1772, he caused the Boston town meeting to establish a Committee of Correspondence which was to state and make public the rights of the colonists and communicate with the other colonies in reference to measures that Americans should take to defend their rights. "The Boston Committee of Correspondence has been likened to a political party manager. It provided for regular meetings, consulted with similar bodies in the vicinity, stimulated the spread of committees in surrounding towns, kept up a correspondence with them, prepared political matter for the press, circulated it in newspapers and broadsides, matured political measures, created and guided public sentiment—in short, heated the popular temper to the boiling point of revolution and then drew from it the authority to act."¹ The idea of such committees was well received by the Patriots. In Virginia Patrick Henry and Thomas Jefferson were so heartily in favor of the movement that in March, 1773, they caused the House of Burgesses to appoint a standing Committee of Correspondence. By July, 1773, committees had been established in six colonies. These committees, the model of which

¹ Bolton and Hall, "The Colonization of North America"; p. 446.

was furnished by Samuel Adams, not only became efficient agents for creating a public opinion that was to set a revolution in motion, but they were also the beginning of a political union which was to grow stronger and stronger and within a quarter of a century was to develop into our American commonwealth.

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The tea controversy gave Samuel Adams an opportunity to assert his leadership in a highly dramatic fashion. The tax that had been retained on tea when the Townshend Acts were repealed met with the same resistance that had been offered to the other taxes; tea continued to be boycotted as glass, paper, and paint had been. But George III attempted to force tea down colonial throats. In May, 1773, the East India Co. was given permission to export tea from England directly to America free of all English customs, and was also allowed to establish its stores in America. It was the idea of the British Government that the tea would now surely be bought and the tax paid, for the company could pay the small threepenny duty and still sell its tea at a price much lower than it could be sold by the ordinary American merchant, even though his stock was smuggled. But the tea was not bought. In the autumn of 1773 ships loaded with tea arrived at New York, Philadelphia, Boston, and Annapolis, but at none of these ports could the tea be landed and sold. At the different ports the tea ships were received with different manifestations of popular odium. In Boston the arrival of the tea was followed by an act of downright lawlessness. A band of men dressed as Indians boarded the vessels carrying the tea and threw into Boston harbor the contents of three hundred chests. Samuel Adams was not a member of this "tea-party," but everybody in Boston knew that he was the instigator of the riotous business.

The Tea
Contro-
versy

In bringing about the destruction of the tea Adams endeared himself to many American merchants who had tea to sell but who could not compete with the East India Co. For there was a fear in some circles that this powerful corporation was about to establish a monopoly in America and glut its avarice in other ways. "They [the East India Co.]," said John Dickinson, "cast their eyes on America, a new theater, whereon to exercise their talents of rapine, oppression, and cruelty. The monopoly of tea is, I dare say, but a small part of the plan they have formed to strip us of our property." Accordingly, in opposing the landing of the tea Adams and his followers killed two birds with one stone: they set

their faces firmly against a hated principle of taxation and at the same time struck a blow at monopoly.

Whether the destruction of the tea was due chiefly to the tax or chiefly to an apprehension that the English company was about to establish a monopoly in the tea trade was a question the British Government could not stop to consider when it was informed of the event. There had been a wanton and deliberate destruction of property and prompt action was necessary. To remain passive was to sanction a revolution. Both George III and Parliament were convinced that the time had come when the Americans must feel the heavy hand of power. Parliament quickly passed (1774) a series of repressive measures designed to bring the Patriots of Massachusetts to their senses: (1) No ship was to enter or leave the port of Boston until the town should pay for the tea; (2) Massachusetts was to lose its charter and was to be brought under the king's direct control; (3) English officers or soldiers, when questioned in the colonies concerning acts done while in the discharge of their duties, might be taken to England for trial; (4) troops might be quartered in any colony, and if quarters were not promptly furnished, "uninhabited houses, barns, or other buildings might be used, payment at reasonable rates being made for such use." These four "Intolerable Acts"—as the coercive measures were called—were aimed directly at Massachusetts.¹ And the royal hand that signed the law was in deadly earnest. To enforce the measures the king in exultant mood despatched at once four regiments to America. "The die," he wrote triumphantly to his minister, Lord North, "is cast. The colonies must either triumph or submit."

¹The Quebec Act, a fifth act, had no direct reference to Massachusetts and was not intended to be offensive to New England in any way. This annexed to the province of Quebec the region which soon came to be known as the Northwest Territory and included what are now the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin. This region, by the terms of the act, was to be ruled by an arbitrary government. It was to have no elective legislature, and, except for local purposes, it was to be taxed by Parliament. Moreover it was provided by the act that the Catholic religion might be freely exercised throughout the region. Although the Quebec Act was an honest attempt by England to provide a suitable government for a part of the territory taken from France in 1763, it was nevertheless regarded by the colonies as inimical to their interests. It seemed to give the Ohio country over to a French rather than to an English civilization. The measure pleased Canada greatly, but it displeased Virginia, Connecticut, and Massachusetts, the colonies which claimed territory in the region, and were expecting some day to profit by their claims.



A CARTOON OF 1774

Bostonians pay the excise man; or Tarring and feathering

BLOWS AND SEPARATION

For George III and Parliament to use repressive measures in dealing with Massachusetts was to play into the hands of Samuel Adams. That irrepressible Patriot saw that if he himself had dictated the Intolerable Acts he could not have devised anything better calculated to bring on the revolution for which he was spoiling. No sooner did he hear of the acts of Parliament than he set into motion the machinery of propaganda and resistance. Through his Committees of Correspondence he sent out to the people in all the colonies a circular letter which pointed out the injustice and cruelties by which the inhabitants of Massachusetts had been condemned unheard. "This attack," ran the circular, "though made immediately upon us, is doubtless designed for every other colony who shall not surrender their sacred rights and liberties into the hands of an infamous ministry. Now, therefore, this is the time when *all* should be united in this opposition to the violation of the liberties of all. The single question, then, is whether you consider Boston as now suffering in the common cause, and sensibly feel and resent the injury and affront offered to her."

These words struck home. Every colony perceived that the cause of Massachusetts was its own cause. If the British Parliament could cancel the charter of one colony and ruin the trade of one port it could cancel the charter of every colony and ruin the trade of any port from the St. Lawrence to the Gulf of Mexico. The colonists saw this, and when in June, 1774, the law which closed the port of Boston went into effect assistance for the beleaguered town came not only from Massachusetts but from the other colonies as well. South Carolina sent two hundred barrels of rice. North Carolina and Maryland made liberal contributions in money. Connecticut gave large supplies of provisions and sent words of cheer: "We are willing to sacrifice all that is dear and valuable to us rather than suffer the patriotic inhabitants of Boston to be overwhelmed by their adversaries." From the Old Dominion came money, supplies, and, better than these, sympathetic words from George Washington: "If need be, I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston."

Where the spirit of union was so strong, organization for resistance could proceed rapidly. Within two days after a copy of the

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Adams
Leads a
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Port Act was received in Boston the Committees of Correspondence began to bestir themselves, taking measures for the establishment of a central organization of some kind through which the colonies might act in unison. The first thing done was to send out a call for a congress of delegates representative of all the colonies, the members of the proposed congress "to be appointed either by their respective houses of burgesses, or by convention, or by the committees of correspondence." The delegates were to meet as a "colonial or continental congress" at Philadelphia in September, 1774. All the colonies except Georgia having responded to the call, more than fifty delegates assembled in Carpenters' Hall in Philadelphia. The personnel of the assemblage, known as the First Continental Congress, included many of the leading men of America: John Adams and Samuel Adams from Massachusetts; Stephen Hopkins and Samuel West from Rhode Island; Roger Sherman and Silas Deane from Connecticut; John Jay and Philip Livingston from New York; John Dickinson and Joseph Galloway from Pennsylvania; Samuel Chase from Maryland; Peyton Randolph, Richard Henry Lee, George Washington, and Patrick Henry from Virginia; John Rutledge and Christopher Gadsden from South Carolina. The Congress, of course, had no powers that it could claim as lawfully belonging to it; it was simply a gathering of British subjects met to discuss the unhappy relations which existed between England and her colonies and to restore harmony if that were possible.

"Americans
Cannot
Submit"

The majority of the Congress consisted of radicals who, led by Samuel Adams, were for open resistance. A strong minority, however, led by Joseph Galloway, favored compromise and peaceful methods of dealing with the situation. After a great deal of discussion the Congress characterized the Intolerable Acts as "unpolitic, unjust and cruel as well as unconstitutional" and approved of the opposition of Massachusetts to those measures; it declared that the colonies could not be taxed except by their own assemblies; it enumerated the acts passed by Parliament since 1763 to which the Americans were opposed and declared that "to these grievous measures Americans cannot submit." The most important action taken by the Congress was to plan for an American "Association," the purpose of which was to carry into effect a policy of non-importation and non-consumption of British goods. The Congress dissolved in October. May 10, 1775, was set as the date for the

holding of another Congress at Philadelphia "unless the redress of grievances which we have discussed be obtained before that time."

But it was hardly worth while now to talk about the redress of grievances. The British Government was bent on a policy of repression, and the colonists were animated with the spirit of resistance. It is true a conciliatory resolution was passed by the House of Commons in February, 1775, but in less than a month this was nullified by the Restraining Act which confined the commerce of the New England colonies to Great Britain, Ireland, and the West Indies and prohibited the New Englanders from fishing in the northern fisheries until "the trade and commerce of his Majesty's subjects may be carried on without interruption." This act only stiffened the resistance of the Massachusetts Patriots, who were already in a fighting mood and at every turn were checking General Gage, who had been made governor of Massachusetts and had been placed in complete command at Boston. But the authority of Gage and his new royal government received no recognition outside of Boston. The colony at large recognized the authority of a provincial congress which was organized by the Patriots in utter defiance of the orders of Gage, and which held its first meeting at Salem in October, 1774. This revolutionary body undertook the organization of an army, and before the winter of 1774-75 had passed eastern Massachusetts was bristling with men carrying muskets.

Gage, who determined that the provincials must be disarmed and their munitions of war destroyed, sent, on April 19, 1775, a detachment of troops to destroy the military stores at Concord and to arrest Samuel Adams and John Hancock at Lexington. The expedition was a wretched failure. At Concord the British troops met such a sturdy resistance from the rustic militia that their officers determined it would be best to return to Boston at once. On the way back they were peppered from behind houses and trees and stone fences with such deadly results that by the time they reached Boston they had lost in killed and wounded nearly three hundred of their number.

Everybody knew that a bloody struggle had now begun, and wherever a blow could be given it was dealt. Benedict Arnold saw that the Americans ought to have possession of Ticonderoga and Crown Point and with a few troops he straightway marched against these forts. Acting with Ethan Allen, a dashing leader of the

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The
Restraining
ActLexington
and
ConcordArnold and
Allen

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Green Mountain Boys of Vermont, he surprised Ticonderoga. The fort had but a handful of men, and it was compelled to surrender on May 10, 1775. The capture of Crown Point quickly followed.

The
Patriots
Seize the
Reins of
Power

Even swifter than the military movements of the Patriots was their political activity. Relays of heralds carried the news of the fighting at Lexington and Concord from one end of the land to the other. By the middle of 1775 the colonies were seething with the spirit of revolt. Colonial legislatures passed into the control of the Patriots and royal governors were ousted from office. By the end of 1775, outside of the town of Boston, the power of government was everywhere wielded by Patriots.

The
Loyalists

But the authority of the Patriots in some places was sharply challenged by the Loyalists, some of whom were now showing their colors and coming out strongly for England. In some of the colonies, as in New York and Pennsylvania, the Loyalists, or Tories, were very numerous, and they had it in their power to thwart the plans of the Patriots, and did thwart them as far as they dared. In strong Tory centers there was a clash between the two parties that resembled civil war. After Lexington the Tories became intolerable to the Patriots and were subjected to a treatment which was violative of every principle of civil liberty. Loyalists "were ridden and tossed on fence rails; were gagged, and bound for days at a time; pelted with stones; fastened in rooms where there was a fire with the chimney stopped on top. Their homes and shops were burned; they were compelled to pay the guards who watched them in their homes." More to the purpose, they were disarmed; their houses were entered and all the arms and ammunition that could be found were seized. This disarming of the Loyalists in a thorough and systematic manner was one of the most important steps taken by the Patriots, for without their guns the Loyalists could offer but a tame and impotent resistance. The Patriots justified this reign of terror on the ground that an American Loyalist was as dangerous as a British soldier and had to be dealt with as severely. "A Loyalist," said they, "is a thing whose head is in England, whose body is in America, and its neck ought to be stretched." The policy of persecution did its work: early in the revolutionary movement the Loyalists were completely subdued and cowed. Had they been permitted to gain headway and exert their full strength, the course of events might have been

very different from what it was, for in many places the Loyalists outnumbered the Patriots.

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There were a few Loyalists in the Second Continental Congress which met at Philadelphia on the appointed day, but their influence was negligible. Although in this Congress moderate men were in the majority, the bloodshed at Lexington a few weeks before had made it impossible for them to countenance men of the Loyalist type. The colonies and Great Britain were in a state of actual warfare. On the very day on which the Congress met an important fort fell into the hands of the Patriots, and forces were gathering around Boston for another clash. Hence, while the Congress, as a measure of prudence, declared in favor of a policy of conciliation, it at the same time addressed itself to tasks relating to war.

The Second
Continental
Congress

Not only was war in progress but civil government in the colonies was in the utmost confusion. If England was to be no longer obeyed, where did authority lie? For an answer to this question men turned to the Congress at Philadelphia. The provincial congress of Massachusetts sought advice "respecting taking up and exercising the power of civil government," and pledged its submission to such advice as might be given. Here was a perplexing problem for the moderates. This provincial congress, as we have seen, was an out-and-out revolutionary body. Was it to be recognized as lawful? The Congress shouldered the responsibility and decided that no obedience was due to the Intolerable Acts and that the provincial congress had the right to organize a new assembly. With that decision the Congress itself took on the complexion of a revolutionary assemblage. Proceeding further on the road to revolution, it undertook to deal with the military situation. It recommended that the various assemblies and conventions provide ammunition and arms, recruit soldiers, and hasten the assembling of forces; it adopted as its own the troops which had gathered around Boston and provided for this new Continental Army a full staff of officers; it provided for the fitting out of vessels for a navy. It did not stop with the exercise of the military function, but acted in several other ways as a duly authorized government is accustomed to act: it borrowed money and thus created a national debt; it issued a paper currency; it communicated with foreign governments; it assumed the management of a postal system; it created a department of Indian affairs. All these things it did at its first

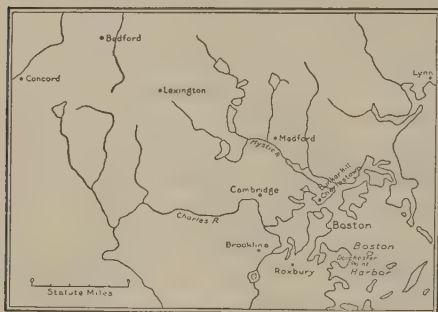
Congress
Shoulders
Responsi-
bility

session. Thus the Second Continental Congress was hardly organized before it began to give form and direction to the scattered and unorganized forces of the colonies and lay the foundation of a central government and of national sovereignty.

The most important thing done by the Congress at its first session was, on June 15, to elect George Washington commander-in-chief of the Continental Army. The man chosen as the head of the newly organized army was a member of the Congress and was present in his uniform. He belonged to the moderates, but as he felt that there was now no hope save in arms, he accepted the command. When the choice was made he rose in his seat and said: "Since the Congress desires, I will enter upon the momentous duty and exert every power I possess in this service and for

support of the glorious cause." The destinies of the Revolution were now transferred from the hands of Samuel Adams to those of George Washington.

The commander-in-chief hurried northward to the scene of his duties; but before he reached Boston great things had happened



Boston and Vicinity

Bunker Hill

there. After the Concord affair colonial troops kept swarming to the scene of hostilities, and in June the redcoats and Americans met in pitched battle on Breed's Hill (Bunker Hill).¹ The British won the hill and held it, but a few more such victories would have meant the destruction of their army, for they lost more than twice as many men as the Americans. "In the eight years of the Revolution," says General F. V. Greene, "there was no battle more bloody, none more important. The Americans, without proper organization, equipment, or support, had fought the best regular troops of England and had repulsed them until their ammunition had given out. All the advantages of victory were on their side."

¹The Americans, in the darkness, mistook Breed's Hill for Bunker Hill, which they had intended to fortify and which gave its name to the battle.

When Washington arrived in Boston he found an army of about 15,000 men, poorly armed, raw, and inexperienced. Yet the news of Bunker Hill assured him that it was an army that could fight. Taking command at once he began to drill his men and equip them with ammunition and supplies.¹ By the spring of the following year he felt that he could give battle to the British. On the night of March 4 he quietly fortified Dorchester Heights which overlooked Boston. The next morning General Howe could see that either Washington's forts would have to be taken or the British would have to leave Boston. He decided that the best thing to do was to leave. Putting his men on board ships and taking with him about 11,000 soldiers and 1000 Loyalist refugees, he sailed away, on March 17, 1776, for Nova Scotia, leaving behind a large amount of supplies and military stores. This dislodgment of the British from their position in Boston was Washington's first stroke, and it was a masterful one, for it rid New England of British troops. So far as actual warfare was concerned, therefore, the Revolution in New England ended almost as soon as it was begun.

CHAP.
IVBoston
Evacuated

The evacuation of Boston was soon followed by one of the greatest events in the history of man's perennial struggle for freedom. This was the declaration by Congress of the independence of the colonies. Many of the leaders who had taken a bold stand against England hesitated when they considered a measure so desperate as complete separation. In June, 1775, Washington declared that he was working for peace and harmony, but every day the ties of loyalty grew weaker. In January, 1776, Washington was flying the Continental flag in front of his headquarters at Cambridge and was openly advocating independence. It is true efforts at conciliation continued to be made, but after the fighting in Massachusetts neither side was any longer in a humor for compromise; indeed by the end of 1775 the time for compromise had gone by. In October, 1775, George III in an address to Parliament had made it plain that he would be satisfied with nothing less than the complete submission of the colonists. Two months later Parliament passed the law known as the Prohibitory Act, which, supplementing the Restraining Act,² prohibited all nations from trading with the

The
Movement
for Indepen-
denceThe
Prohibitory
Act

¹ While the drilling was going on, Richard Montgomery and Arnold undertook to capture Quebec, Montgomery advancing by way of Lake Champlain and Arnold by the way of the Maine wilderness. The two armies joined and laid siege to Quebec, but were unable to take it.

² See p. 67.

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American colonies and provided that all ships engaged in colonial trade were to be forfeited with their cargoes and become lawful prizes of war. Again Parliament had played into the hands of the radicals. The law, being a virtual declaration of war, furnished them with an excuse for throwing off all allegiance to the king. John Adams regarded this act as the straw that broke the camel's back. "It throws thirteen colonies," he said, "out of the royal protection and makes us independent in spite of our supplications and entreaties."

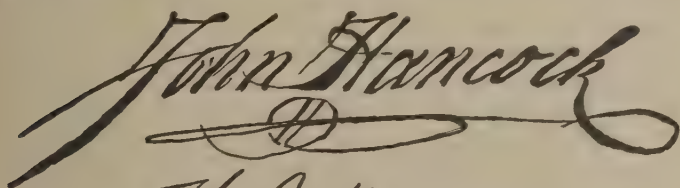
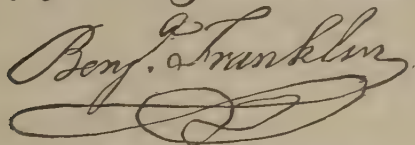
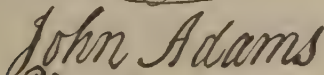
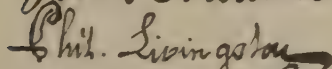
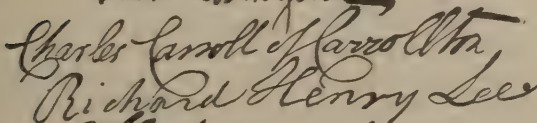
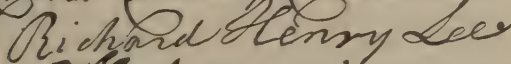
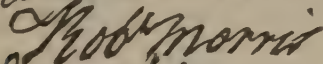
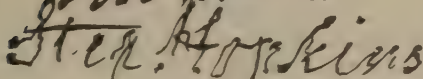
Paine's
"Common
Sense"

The bad feeling created by the Prohibitory Act was intensified by the written word. Early in 1776 Thomas Paine's pamphlet "Common Sense" was published and scattered broadcast over the land. The pamphlet was a passionate appeal for separation. "It is repugnant to reason," said Paine, "to the universal order of things, to suppose that this continent can longer remain subject to any external power. The utmost stretch of human wisdom cannot at this time compass a plan short of separation. Reconciliation is now a fallacious dream. For, as Milton wisely expresses, 'never can true reconciliation grow, where wounds of deadly hate have pierced so deep.' Everything that is right or reasonable pleads for separation. The blood of the slain, the weeping voice of nature cries, 'T is time to part.' Even the distance at which the Almighty hath placed England and America is a strong and natural proof that the authority of the one over the other was never the design of Heaven. I am not induced by motives of pride, party, or resentment to espouse the doctrine of independence. I am clearly, positively, and conscientiously persuaded that it is the true interest of this continent to be so; that everything short of that is mere patchwork."

Independence
Declared

About the time the telling logic and fervid language of Paine's remarkable tractate began to act as a ferment, measures for separation were assuming definite form. In the movement for independence southern colonies led the way. In February, 1776, a revolutionary group in Georgia instructed delegates to agree to any measure for the general good which might be adopted by Congress. In March South Carolina took similar action. In April the provincial congress of North Carolina instructed its delegates to concur with representatives from other colonies in declaring independence. In May Virginia instructed her delegates in Congress to propose independence. Accordingly, on June 7 Richard

Henry Lee moved in Congress "That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." The debate on the reso-

CHAP.
IVA large, bold, and highly stylized cursive signature of John Hancock, featuring a prominent horizontal stroke across the middle.A cursive signature of Thomas Jefferson, with a long, sweeping horizontal stroke at the end.A cursive signature of Benjamin Franklin, characterized by a large, ornate loop at the bottom.A cursive signature of John Adams, with a long, sweeping horizontal stroke at the end.A cursive signature of Philip Livingston, with a long, sweeping horizontal stroke at the end.A cursive signature of Charles Carroll of Carrollton, with a long, sweeping horizontal stroke at the end.A cursive signature of Richard Henry Lee, with a long, sweeping horizontal stroke at the end.A cursive signature of Robert Morris, with a long, sweeping horizontal stroke at the end.A cursive signature of Stephen Hopkins, with a long, sweeping horizontal stroke at the end.

Signatures of Some of the Men who Signed the Declaration of Independence

lution revealed the fact that New England was entirely ready for separation, but that the middle colonies were lukewarm. Action upon Lee's resolution was postponed for twenty days in order that public opinion might have time to crystallize in favor of independence. On July 1 Lee's motion was brought up again in Congress and was carried by the votes of nine colonies. In this

vote New York and Pennsylvania were against independence, Delaware was divided, and South Carolina wanted time for further consideration. This was granted, and when the question was put to a vote the next day all the colonies voted for independence except New York, which withheld its consent until July 9. Having resolved upon independence, Congress on July 4 agreed to the draft of a declaration submitted by Thomas Jefferson. Copies of the declaration were sent to the assemblies of the several colonies, to various conventions and committees of safety, and to all the officers of the Continental armies. The wild rejoicings with which it was everywhere received proved beyond doubt that Congress had made no mistake. "The people," said Samuel Adams, "seemed to recognize the resolution as though it was a decree promulgated from heaven."

The text of the declaration follows:

THE DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776.

The Unanimous Declaration of the Thirteen United States of America.

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accord-

ingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former system of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent shall be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual and uncomfortable and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining, in the meantime, exposed to all dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the laws of naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined, with others, to subject us to a jurisdiction foreign to our constitutions and acknowledged by our laws, giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offenses:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny already begun, with circumstance of cruelty and peridy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontier, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms: our petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

But have we been wanting in attention to our British brethren? We have warned them from time to time of attempts by their legislature to extend an unconstitutional jurisdiction over us. We have reminded them of the consequences of our emigration and settlement here. We have appealed to their native justice and humanity, and we have besought them, by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and humanity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly petition and declare That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain, is, and ought to be, totally dissolved; and that as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this declaration, we mutually pledge our lives and our fortunes, and our sacred honor.

JOHN HANCOCK

New Hampshire

JOSEPH BARTLETT
Wm. WHELFER
MATTHEW THURSTON

Massachusetts Bay

SAM'L ADAMS
JOSEPH ADAMS
ROBT. TRENCHARD
HARRISON GERRIT

Rhode Island

SIMP. HOPKINS
WILLIAM GILBERT

Connecticut

ROGER SHERMAN
SAM'L HUNTERDON
WM. WILLIAMS
OLIVER WELLESLEY

New York

WM. FLOYD
FRED. LIVINGSTON
FRANK LEWIS
LEWIS MORRIS

New Jersey

RICH'D. STOCKTON
JON. WASHINGTON
FRANK. HOPKINSON
JOHN HART
ABRA. CLARK

CHAP.
IV*Pennsylvania*

ROBT. MORRIS
BENJAMIN RUSH
BENJA. FRANKLIN
JOHN MORTON
GEO. CLYMER
JAS. SMITH
GEO. TAYLOR
JAMES WILSON
GEO. ROSS

Delaware

CAESAR RODNEY
GEO. REED
THO. M'KEAN

Maryland

SAMUEL CHASE
WM. PACA
THOS. STONE
CHARLES CARROLL
CARROLLTON

Virginia

GEORGE WYTHE
RICHARD HENRY LEE
THO. JEFFERSON
BENJA. HARRISON
THOS. NELSON, JR.
FRANCIS LIGHTFOOT LEE
CARTER BRAXTON

North Carolina

WM. HOOPER
JOSEPH HEWES
JOHN PENN

South Carolina

EDWARD RUTLEDGE
THOS. HEYWARD, JUNR.
THOMAS LYNCH, JUNR.
ARTHUR MIDDLETON

Georgia

BUTTON GWINNETT
LYMAN HALL
GEO. WALTON

Resolved, That copies of the Declaration be sent to the several assemblies, conventions and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the united States, at the head of the army.

THE STRUGGLE AND THE VICTORY

The Plans
of the
British

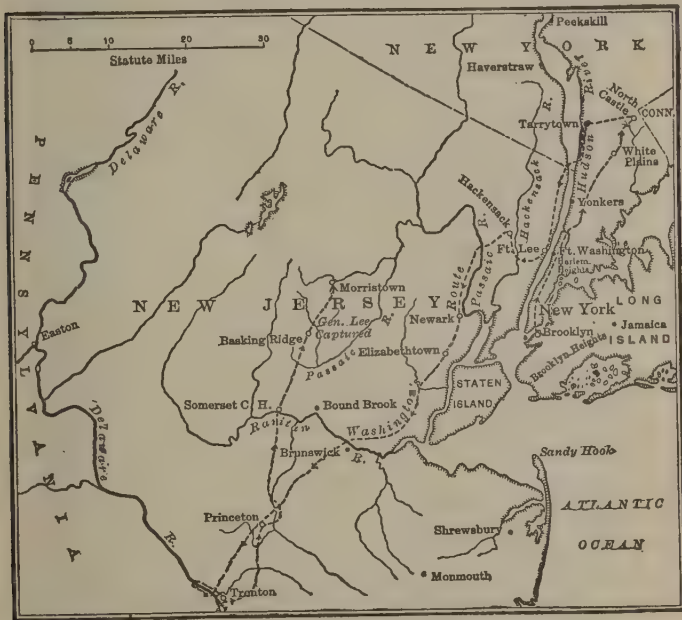
On the day after independence was declared the largest British army that had ever been sent to America arrived at New York under the command of General Sir William Howe. Reinforcements under Admiral Lord Howe and other commanders brought the total British force up to about 40,000 men. Fighting on the side of the English were 17,000 mercenary troops, chiefly Hessians. It was the plan of the British to secure possession of the Hudson River region and thus cut off New England from the other colonies. Howe was to take New York City and gain control of the lower Hudson, while General Carleton was to come down from Canada, recapture Ticonderoga, and establish his power in the upper Hudson region. The two armies were finally to meet at Albany.

The
Fighting
in the
Vicinity of
New York

When Howe arrived at Staten Island he found Washington already on the ground with about 18,000 men, half of whom, under General Israel Putnam, were holding Brooklyn Heights, a line of hills which commanded New York. Howe advanced upon the heights and, meeting the Americans in the engagement known as the Battle of Long Island, easily defeated them, for the British troops outnumbered the American four to one. Washington, who now faced the danger of losing every man on Long Island, under

the cover of a foggy night took his army across a mile of water to the New York side and thus saved about 9000 men from the clutches of the British. Then for several months the two armies strove for the possession of New York City. By the middle of November Fort Washington with nearly 3000 prisoners had been captured by the British, and the lower Hudson for a distance of forty miles above

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Washington's Movements in 1776

New York was safely in their hands, where it remained until the war was over.

After the loss of Fort Washington, the American commander in order to avert disaster beat a retreat across New Jersey, the British army closely pursuing the Americans, but never quite overtaking them. If Howe's heart had been in his task his movements might have been swifter. But he did not seem to be set upon victory. "He was a member of Parliament for Nottingham, and had publicly condemned the quarrel with America and told his electors he

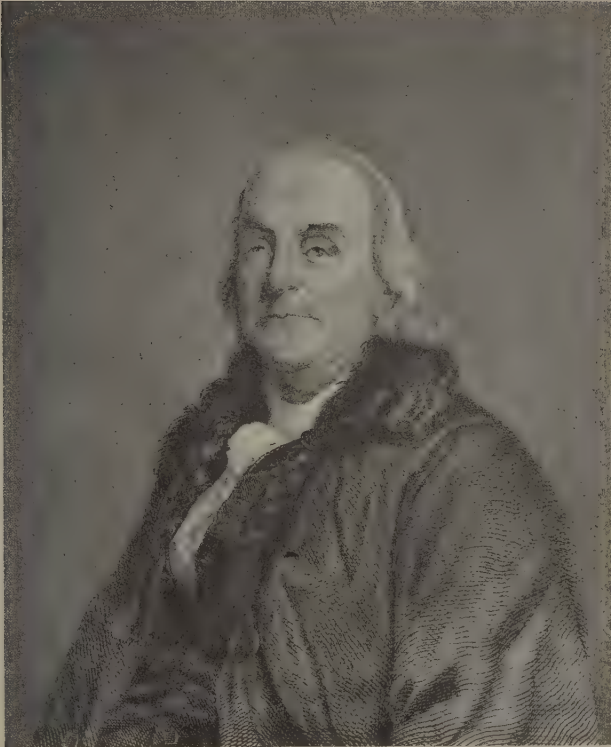
The
Slowness
of the
British

would take no command. He had not kept his word but his convictions remained. . . . He had no belief that his country was right in the war."¹ The slowness of Howe's movements may also be explained by the hesitancy of the British Government to deliver a crushing blow to the Americans. At the beginning of the struggle it was the idea of leading Englishmen that the war ought not to be pressed to a bitter conclusion, but ought to be so conducted as to secure victory for the English without causing the Americans to suffer an overwhelming defeat. The war was being fought to save the colonies for England, but it would be impossible to prevent the loss of their loyalty if they should be subjected to all the horrors of a ruthless warfare. Accordingly, in the game of hare and hounds across New Jersey, Howe, from one motive or from another, did not seem to move as fast as he could. It was said of him that he calculated with the greatest nicety the exact time necessary for the enemy to make his escape. At Newark, as the Americans moved from one end of the town, the British marched in at the other. At Trenton, as the last boat carrying the Americans crossed the Delaware, Howe's army arrived—just in time to be too late to interfere with the crossing.

Washington's
Fabian
Policy

If Howe was loath to strike hard, Washington was equally loath to stand his ground and try a pitched battle. From the time he left Long Island until he reached Trenton the movement of his army was an orderly retreat. This was in keeping with American tactics throughout the war, for it was Washington's general policy to conduct a defensive campaign. "On our side," he said, "the war should be defensive that we should on all occasions avoid a general action nor put anything to risk unless compelled by a necessity into which we ought never to be drawn. . . . The wisdom of cooler moments and experienced men have decided that we should protract the war if possible." Reasons for a Fabian policy were numerous enough. On the British side were the best regular troops of Europe, commanded and led by able generals and supplied from the ample resources of a powerful and wealthy nation. The colonial army, on the other hand, was an irregular force whose soldiers were enlisted only for short periods and, for the greater part of the war, were without military training. These raw, inexperienced

¹ George M. Wrong, "Washington and his Comrades in Arms"; p. 81.



From a portrait by Duplessis

Benjamin Franklin

troops could not always be relied upon to stand fire. "The militia," said Washington in December, 1776, "come in, consume your provisions, exhaust your stores, and leave you at last at a critical moment." The rough country over which most of the fighting had to be done was favorable to a defensive campaign. Fences, rivers, mountainous country, roadless forests, did little to obstruct the simply equipped and undisciplined Americans, but they were insurmountable obstacles to a precise British column moving with its heavy artillery and its train of baggage wagons. In the British manual there were no orders for climbing fences, or for sending parts of the column around opposite sides of the same boulder. "The very fact of the British army's discipline and organization," says R. G. Usher, "became a hindrance the moment they left the open fields about the Hudson and Delaware and advanced into the wilds of Lake George and the hill country of North Carolina. A couple of thousand farmers in their shirt-sleeves and without any artillery and baggage would straggle across fields, scaling fences, penetrating woods and losing little if anything of their efficiency in the process: they had little in fact to lose, for the only method of fighting they understood called for men behind trees and stone walls, and not arranged in line of battle." The result of this kind of warfare was usually to leave the English in possession of the field and to permit them to march where they pleased. In a technical military sense, therefore, the story of the Revolution is largely a tale of battles lost by the victors.

But there were memorable instances when the Americans took the offensive. One of these was at Trenton where Washington turned upon his pursuers. On Christmas night, 1776, he recrossed the Delaware, and the next morning, with an army so diminished as to cause him apprehension and distress, he attacked a force of Hessian troops and captured nearly a thousand prisoners. Marching on to Princeton he again met the British and defeated three of their regiments. These surprises forced Howe to fall back upon New York. "To military students," says General F. V. Greene, "no page in history is more worthy of study in every detail than these fourteen days in New Jersey. From Christmas, 1776, to January 7, 1777, Washington in very truth snatched victory out of the jaws of defeat. . . . The astounding but well-deserved re-

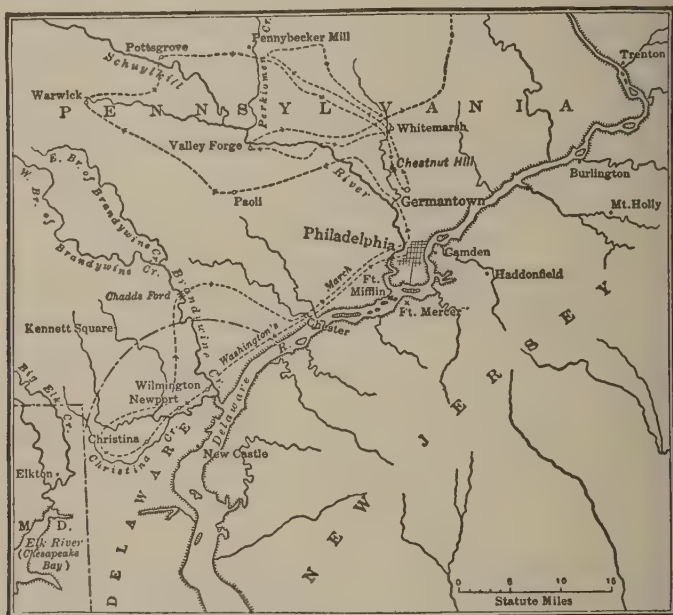
CHAP.
IVTrenton and
Princeton

CHAP.
IV

The
Fighting
in the
Vicinity of
Philadel-
phia

sults of the whole movement at once and forever established Washington's reputation as a soldier."

After the battle at Princeton Washington led his troops to Morristown, New Jersey, where he spent the rest of the winter. In the spring he went out to watch Howe closely, annoy him in



Washington's Movements in 1777

every way possible, and prevent him from joining the army that was about to march into northern New York from Canada. But Howe did not follow the plan which had been mapped out. Through some blundering on the part of the authorities in England, he had failed to receive definite instructions to march to Albany. Had he started it is likely that Washington would have made his journey a painful one. In May he left New York and began a march across New Jersey, his purpose being to capture Philadelphia, the home of Congress and the capital of the new-born nation.

Finding that Washington was standing across his path, he thought it prudent to return to New York and go to Philadelphia by water. Embarking his troops on a fleet, he set sail and two weeks later he landed his army at the Head of Elk at the northern end of Chesapeake Bay. Washington was near-by to check the advance on Philadelphia. At Chadds Ford on the Brandywine he gave battle to the British but was compelled to leave the field to the enemy. Howe now entered the capital with his army. On October 4 the Americans again attacked the British at Germantown and again they were worsted, but the British losses were so heavy that they made no serious attempt to follow the retreating army. After hovering around Howe for several weeks Washington went into winter quarters at Valley Forge, where the suffering of his men from cold and hunger was heartrending.

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While Washington was struggling with Howe another great contest was taking place in northern New York. In the summer of 1777 General John Burgoyne, who had succeeded Carleton, sailed up Lake Champlain and, having driven the Americans from Ticonderoga, marched on to Fort Edward. While there he heard that there was a large quantity of excellent provisions at Bennington, a little village in Vermont, and he sent a detachment of about a thousand men to seize them. But the expedition came to grief. Bennington was defended by a band of Green Mountain boys under the command of Colonel John Stark, who gave fight to the British and drove them back with terrible loss. Scarcely a hundred of them were able to make their way back to Burgoyne. When they returned they found that things were going hard with the general. The Americans were impeding the march of the British in many ways, cutting down trees and letting them fall across the roads, destroying bridges, stripping the country of cattle and provisions. Thus the British were delayed while the Americans were gathering their forces for an attack. Burgoyne expected aid from western New York, for it was part of the plan that General St. Leger was to lead an army from Oswego down the Mohawk Valley to Albany. But St. Leger did not come; he was checked by the Americans at Oriskany. Burgoyne also expected reinforcements to come up from New York City; but, as we have seen, Howe had left him to his fate and he had to fight his battles alone. When the time came for action he was not prepared. His army was without food, and

Bennington

Saratoga

CHAP.
IV

France
Comes to
the Aid of
America

the Americans in considerable numbers were closing in on him. By the middle of October they had him in a trap, out of which he tried to fight his way, but in vain. At Saratoga he surrendered his army on October 17, and six thousand British soldiers were made prisoners of war.

The surrender of Burgoyne was easily the most important military event of the Revolution. It shattered completely the British plan of campaign, and it renewed the courage of the Americans at

a time when their cause was threatened with failure. But the most significant result of the surrender was the effect it had upon France. From the first days of the Revolution France "tingled with joy at American victories and sorrowed at American reverses." She had herself just been driven from America, and sweet indeed would be the satisfaction if England too should be expelled. Through unofficial agents she had sent money and munitions of war to the American army, but she was reluctant officially to recognize the United States as an inde-



Burgoyne's Invasion of New York and
Scene of Border Warfare

pendent nation. Benjamin Franklin, who in European eyes was the greatest of all Americans, was sent to Paris to plead the cause of his countrymen. As a champion of liberty he was received by the French people with an enthusiasm that seemed to know no bounds. "Paris," says C. H. Van Tyne, "lost its head over him. At entertainments beautiful women vied with each other to place on his white head a crown of laurels, and kisses on his cheeks. He grew weary of sitting for busts and portraits and medals. . . . His very singularity served to keep him in the public eye. Amid the lace and the embroidery, the powder and the perfume, walked this farmer figure, with brown coat, round

hat, and unpowdered hair. He did not ape French manners, but, as Jefferson expressed it, he subjected France to American influence." In spite of Franklin's powerful intercession the French Government remained hesitant and coy until Saratoga. Then it took a decided stand, acknowledging the independence of the United States and entering into treaty relations with the new nation. On February 6, 1778, two treaties were signed at Paris, one of alliance and the other of amity and commerce between the United States of America and France. Under the terms of the alliance it was agreed that in case war should break out between France and Great Britain during the continuance of the Revolutionary War the United States and France would make common cause, that neither would conclude a truce or peace with the enemy without the consent of the other, and that hostilities should not cease until the independence of the United States was assured.

The alliance with France had a tremendous influence upon the course events were to take. When England heard of the treaty her indignation was aroused to a high pitch, and within a few months she was at war with France. Spain, too, having a grievance against Britain on account of the British occupation of Gibraltar, allied herself with France and began to supply the American armies with money. When the news of Burgoyne's surrender reached London, the British Government for a moment was ready to abandon its policy of repression and try conciliation. Lord North hurried through Parliament bills for repealing the tea duty; for removing apprehension regarding the taxation of the colonies by Parliament; for opening the port of Boston; for restoring to Massachusetts its former government; for pardoning those engaged in rebellion; for assuring the colonies that the question of their representation in Parliament would be considered. A royal commission was sent to America to negotiate a compromise, the commissioners being vested with authority to grant the most liberal terms. "Small or great, ceremonial or essential, every point in dispute between the British cabinet and the Continental Congress was surrendered, without ambiguity and without reserve." The hopes of England that she might be able really to govern her colonies had vanished. She did, however, still hope that she might be able to hold America by a thread of some kind. But there was no thread sufficiently tenuous to satisfy the Americans. The time for conciliation had passed. When the commissioners reached Philadelphia in June, Congress,

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John Paul
Jones

in terms "curt, conclusive and almost defiant," refused to negotiate with them.

Immediately after the signing of the treaty of alliance, France sent to America a fleet of war vessels. This strengthened the Americans where they were weakest, for they had no regular navy. Congress, however, had issued letters of marque, which gave captains authority to prey upon English vessels. The most famous of these privateers was John Paul Jones, who with a squadron of three ships harried the coast of England and Scotland. In 1779 Jones's flagship, the *Bonhomme Richard*, fought a desperate battle with the British frigate *Serapis*; the two ships were lashed together and the struggle continued until the decks of both vessels ran with blood and the ships caught fire. In the end the *Serapis* surrendered. The victory caused great rejoicing in America and made Jones a hero.

Monmouth

The coming of the French fleet caused the British to withdraw from Philadelphia in order to escape a blockade. In June Sir Henry Clinton, who had succeeded Howe in command, left the capital and started with his troops to New York. On the way he encountered hard fighting at Monmouth, New Jersey, where he was attacked by Washington and might have been defeated had it not been for the strange and perhaps treasonable conduct of the American General Charles Lee. Washington ordered Lee to charge upon the enemy at a place where he could have struck a telling blow, but instead of attacking the British the "damned poltroon"—as Washington in flaming anger called him to his face,—after a slight demonstration, ordered a retreat. As a result of this cowardice, Clinton was able to move on and reach New York. After the Battle of Monmouth, Washington moved his army up to White Plains on the Hudson, where he remained for nearly three years, watching Clinton and keeping him in check.¹ Thus after a campaign of nearly two years in the North, the British had succeeded in little except in capturing and holding the town of New York.

The
Fighting
in the
South

New England was as good as lost to England on the day that Washington drove the British out of Boston harbor. The Middle States were as good as lost on the day that Burgoyne laid down his arms. After Saratoga the scene of virtually all the fighting was in

¹ In July, 1779, Washington sent General Wayne—Mad Anthony Wayne—to capture Stony Point, a fort held at the time by the British. Wayne made a daring assault upon the fort and carried it by storm.

the South. It had been part of the original plan of the English to strike the first blows in the South, conquer that section, and then conciliate it and detach it from its adherence to the cause of independence. It was thought that conciliation would be easy because the social and commercial ties between the South and England were really very strong.¹ Accordingly as early as June, 1776, the British had attacked Charleston but had been foiled by the determined resistance of troops under the command of Colonel William Moultrie. After this repulse the British abandoned operations in the South until very late in 1778 when they captured Savannah. Little was done in 1779, but the next year the war at the South was begun in earnest. Early in 1780 Clinton and Cornwallis, with 8000 men, laid siege to Charleston and compelled it to surrender. All Georgia and South Carolina were now in the control of the British. The conquerors, however, did not lie on a bed of roses, for in South Carolina Francis Marion and Thomas Sumter, leaders of roving bands of patriots, darted down mountain sides or out of dense woods, delivered such blows as could be struck, and then disappeared as suddenly as they had appeared. In the summer of 1780 the Americans under Horatio Gates met a British force under Cornwallis at Camden, South Carolina, and suffered one of the worst defeats of the war. The southern states were now wholly in the hands of the British, and the outlook for the Americans was dark indeed. Their only troops south of New Jersey were the scattered remains of Gates's army. But bad news was soon followed by good news. In October, 1780, the frontiersmen of North Carolina and Tennessee won a valuable victory over the British at King's Mountain.² In a short time the British again met defeat

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Camden

King's
Mountain

¹ See p. 50.

² The Revolution spread to the western frontier, where the Indians generally took the side of the English. In the summer of 1778 the valley of Wyoming in Pennsylvania was swept by a company of Indians and Tories, who left behind them an awful scene of murder and devastation. Cherry Valley in central New York suffered at the hands of these marauders in much the same way. General Sullivan was sent against the Tories and their Indian allies, and at Newton, on the site of the present city of Elmira, he met them in battle and punished them severely.

The most important event connected with the border warfare of the Revolution was the capture of the Illinois country—the later Northwest Territory—by General George Rogers Clark. Acting in the name of Virginia, this dashing officer, with about 150 men, floated down the Ohio to the mouth of the Cumberland, where he struck northwest across marshes, captured Kaskaskia and Vincennes, and took possession of the whole region north of Ohio. Only

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IV

at Cowpens. Nathanael Greene was now in command and was displaying fighting qualities of the highest order. Under his skilful management nearly all the territory taken from the Americans by the British was regained.

Lafayette

When Cornwallis, who was directing the British campaign, found he could make no headway in the Carolinas, he marched into Virginia, where there was already a British force under Benedict Arnold.¹ General Lafayette had been sent down by Washington to meet Cornwallis. It must be kept in mind that the French after the treaty of alliance fought side by side with the Americans until the war ended, and the service they rendered was invaluable. "It is seriously to be doubted," says President Wilson, "whether we could have won our freedom without the gallant and timely aid of France." Lafayette, on his entrance into Virginia, set out after the manner of the Americans to give Cornwallis a chase. "The boy"—Lafayette was then but twenty-three years of age—"can't escape me," said the English commander. But the boy did escape him, and when the chase was ended the army of Cornwallis was occupying an unfavorable position at Yorktown, on the peninsula formed by the York and James rivers.

Yorktown

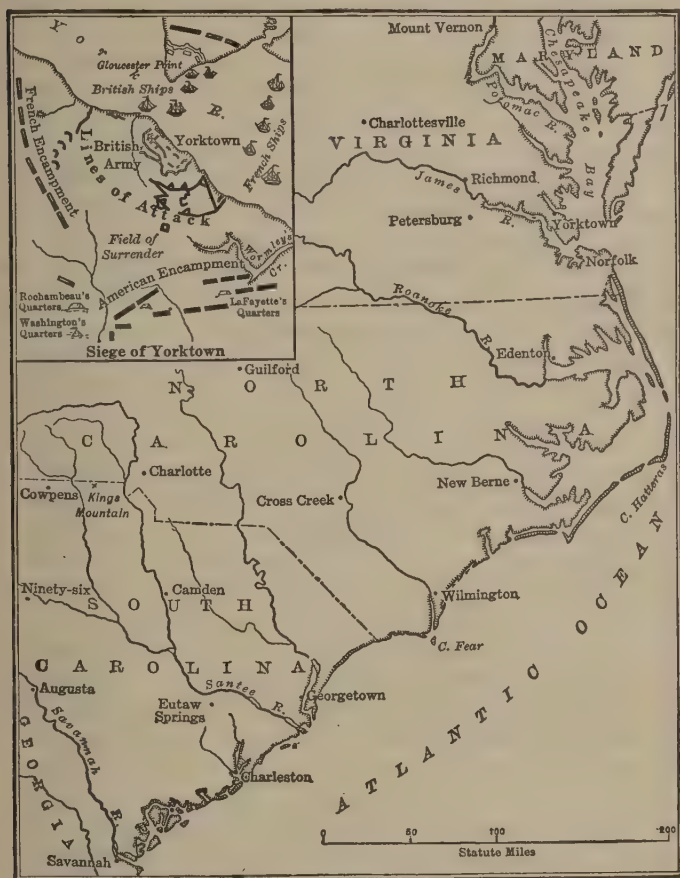
Washington now saw his chance. Abandoning plans he was making for attacking New York, he hurried south with his army; and by the end of September a force of 16,000 men, of whom about one half were French, was besieging Cornwallis with 7000 men. When the southward-moving Americans reached Yorktown a French fleet, the most powerful which up to this time had ever been fitted out by France, was guarding the entrance to Chesapeake Bay. The French and the Americans, outnumbering the British more than two to one, closed in on Cornwallis by land, and the guns of the French ships made it impossible for him to escape by water. As at Saratoga, so at Yorktown, the British had been caught

Detroit was left in the hands of the British. This conquest gave the United States a claim to the Northwest which was of the utmost importance when the boundaries were settled at the close of the war.

¹In September, 1780, Arnold had turned traitor to the American cause. After having rendered excellent service at Saratoga, he was put in command at Philadelphia. Here he was accused of using his official position for purposes of private gain. He was reprimanded by Washington but was forgiven and appointed commander of West Point. He repaid Washington's kindness by entering into a plot to hand West Point over to the British. The plan failed but Arnold managed to escape to the enemy's lines. As the price of his dishonor, the traitor received £6,000 in gold and a command in the British army.

in a trap. Cornwallis made a brave resistance, but in vain; consideration for his men compelled him to give up his sword. "I thought," he said in a report, "it would have been wanton and

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The Revolutionary War as Fought in the South

inhuman to sacrifice the lives of this small body of gallant soldiers." On October 19 he surrendered his entire army.

The surrender of Cornwallis did not end the fighting, for in parts of the South there was more bloodshed. Nor did the surrender result in the expulsion of the enemy from America. Indeed he was

England
Abandons
the
Struggle

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never driven out of the country. The British continued to hold New York, and not until November, 1783, did the last of their ships leave that port. But so far as the issue of the war was concerned Yorktown was decisive. The news of the disaster convinced English leaders that it was impossible to conquer America at the point of the bayonet. George III wanted the war to go on, but he was not allowed to have his way. It was no longer for the interest of England to continue the struggle. She was carrying on war with the French, with the Spaniards, and with the Dutch, as well as with the Americans; her power was threatened in India; she was having trouble with Ireland; and in all parts of the world she was meeting with reverses.

The Treaty
of 1783

In February, 1782, Parliament authorized the king to conclude a peace with the United States; whereupon negotiations were opened with the American peace commissioners, Benjamin Franklin, John Jay, and John Adams. Congress instructed the commissioners to be guided by the wishes of France, but they broke away from their instructions and dealt directly with England. A provisional treaty was concluded at Paris in November, 1782. By the terms of this treaty, hostilities in America were to cease at once; the British army and fleet were to be withdrawn from the territory of the United States; the independence of the United States was fully acknowledged; the boundaries of the new nation were to be the southern border of Canada on the north, the Mississippi River on the west, and Florida on the south; Florida was to be given back to Spain; Americans were to have the right to fish on the coast of Newfoundland; the Mississippi River was to be open to British as well as to American vessels; and Congress was to request the several States to desist from persecuting the Loyalists and to give them the opportunity to recover the property which had been confiscated from them. The provisional treaty was signed by the contracting parties on September 3, 1783, and was thus made definitive. It was ratified by the American Congress on January 14, 1784. The treaty was received by the Americans with great enthusiasm. They had good reason to rejoice, for the commissioners by tact and firmness had secured terms which were entirely favorable to the United States.

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1760 George III crowned.
- 1762 Great Britain at war with Spain; Havana captured.
- 1764 St. Louis was settled by the French.
- 1766 William Pitt becomes prime minister. (He retired in 1768, when Grafton became prime minister.)
- 1767 Spinning-jenny invented by Hargreaves in England.
John Quincy Adams born in Braintree, Massachusetts.
- 1768 General Gage made commander-in-chief of the British troops in America, and ordered to station a military force in Boston.
Colonial secretary of state becomes the head of colonial affairs in the British Government.
- 1769 James Watt obtains the first patent for his steam engine, and Richard Arkwright receives a patent for his spinning-frame.
- 1770 Lord North becomes prime minister.
Clash on January 17 at New York between the "Sons of Liberty" and British soldiers marks the first outburst of the American Revolution.
- 1772 A British ship, the *Gaspee*, having run aground, is boarded by a party from Providence and destroyed.
- 1773 William Henry Harrison born in Berkeley, Virginia.
- 1774 The brig *Peggy Stewart*, laden with tea, publicly burned at Annapolis.
Boston Port Bill passed by Parliament.
Lord Dunmore wages a successful war—Dunmore's War—against the Indian chief Cornstalk.
- 1775 Lord North's "conciliatory measures" rejected by the colonies.
Patriots of Mecklenburg County, North Carolina, draw up a declaration renouncing their allegiance to the king and Parliament, May 20.
Settlement of Kentucky by Daniel Boone and others.
Kosciuszko appointed colonel in the Revolutionary army.
- 1776 Colonel Moultrie repulses the British at Charleston, June 28.
John Barry, one of the bravest of the American sea fighters in the Revolution and the first captain to carry the American flag to victory on the ocean with his ship the *Lexington*, captures the British sloop *Edward* off the coast of Virginia, April 7.
Forces of Howe defeated the Americans at White Plains, October 28.
Delaware organized as a separate colony.
- 1777 Ticonderoga captured by Burgoyne.
British enter Philadelphia, September 26.
Vermont petitions Congress for recognition as a State, but is refused.
Henry Clay born. (Died in 1852.)
"Stars and Stripes" adopted as national flag, June 14.
- 1778 Sandwich Islands discovered by Captain Cook.
Arrival of French fleet under D'Estaing.
France declares war against England, July 10.
- 1779 Spain declares war against England, June 16.
Americans and French repulsed at Charleston.
Paulus Hook captured by Americans.

- 1780 Execution of Major André, October 2.
 England declares war against Holland.
- 1781 First American daily newspaper published in Philadelphia.
 Arnold captures and burns New London.
 Battle of Eutaw Springs, September 8; Americans under Greene are
 victorious.
 Richmond, Virginia, burned by Arnold.
 Battle of Guilford Court-house, the British being successful.

Suggested Readings

- Early conditions and causes: Fisher, Vol. I, pp. 1-17.
 The outbreak of the war: Channing, Vol. III, pp. 155-181.
 The eve of the Revolution: Becker, Carl, "The Eve of the Revolution."
 The beginnings: Fiske, Vol. I, pp. 1-45.
 The Continental Congress: Fiske, Vol. I, pp. 100-146.
 The Battle of Bunker Hill: Hitchcock, pp. 102-117; Fisher, Vol. I, pp. 333-343.
 Independence: Fisher, Vol. I, pp. 436-466; Fiske, Vol. I, pp. 147-197.
 Burgoyne's surrender: Fisher, Vol. II, pp. 56-113.
 The French alliance: Fiske, Vol. II, pp. 1-24.
 Benedict Arnold: Fiske, Vol. II, pp. 206-243.
 The peace: Fisher, Vol. II, pp. 524-546.
 War on the frontier and on the ocean: Fiske, Vol. II, pp. 82-162.
 The end of the Revolution: McLaughlin, pp. 3-34.
 Yorktown: Hitchcock, pp. 145-150; Fisher, Vol. II, pp. 446-492.



V

A SURVEY OF THE NATION IN 1783

THE LAND AND THE PEOPLE

THE boundaries of the territory ceded to the United States by the Treaty of Paris in 1783 included an area of about 850,000 square miles. This is less than one fourth of our present territory, yet when compared with the leading nations of Europe the United States in 1783 was truly a magnificent empire. Its domain was parceled out to the thirteen original States. Of these, five—Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland—had about the same boundaries they have to-day and the extent of their territory was not a matter about which there was serious dispute. The boundaries of the other eight States were indefinite and as yet unfixed. New Hampshire was claiming what is now the State of Vermont, but her claim was contested by both Massachusetts and New York. Massachusetts was holding as her territory what is now the State of Maine. Virginia was in undisputed possession of what is now Kentucky, and was claiming the great stretch of country known as the Northwest Territory, a region out of which have been carved the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and a part of Minnesota. But Massachusetts and Connecticut were also claiming broad belts of the Northwest Territory, while New York was asserting rights to lands in the Ohio country and was running counter to the claims of Virginia as well as to those of Massachusetts and Connecticut. The boundaries of North Carolina, South Carolina, and Georgia extended to the Mississippi River.

A Magnificent
Empire

This territorial domain was indeed vast, but the population of the new nation was small. Massachusetts alone has more inhabitants than could be counted in all the States together in 1783. The number of people in the United States at that time cannot be definitely stated, for no comprehensive or accurate census had been taken; but it is safe to say that the nation began its career with a total population of less than three and a half millions. Of this

The Population of the
New Nation

number about one third belonged to New England, one third to the Middle States—New York, New Jersey, Pennsylvania, and Delaware—and the remaining third to the Southern States. Virginia boasted of having 700,000 inhabitants and was the most populous of the commonwealths. Massachusetts ranked second and Pennsylvania third. The States with the fewest people were Georgia and Rhode Island. Of course the population was sparse. The most thickly inhabited portion was a narrow strip along the seaboard extending, with breaks now and then, from New Hampshire to Georgia, but even this fringe was in no sense densely populated. Passing westward from the seaboard the population became more and more sparse and when the Alleghanies were reached the country was an unbroken solitude. Across the mountains in far-off Kentucky and Tennessee there were straggling communities and detached settlements,¹ but the entire population in all the western country numbered hardly more than 20,000 persons.

But while the population was small and sparse it was upon the whole homogeneous. At no other time in our history perhaps were the people in all parts of the country more nearly alike than they were in 1783. Immigration was as yet so small as to be imperceptible, and there was no distinct foreign population such as exists to-day. An overwhelming majority of the inhabitants belonged to the English-speaking race, and in every State the people were American to the core. There were, to be sure, many who were of non-English origin, but these were thoroughly assimilated and were as good Americans as any. "Whence came all these people?" asked Crèvecoeur in 1782. "They are a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes. From this promiscuous breed that race called Americans has arisen. Here individuals are melted into a new race of men."

But there was one class which from the nature of its unfortunate condition had not been assimilated into the main body of society and did not enjoy the rights or perform the duties of American citizens—the negro slaves, who numbered about one fifth of the population. In 1783 slavery had a legal existence in all the States except Massachusetts and Pennsylvania. But slavery as an institution was now declining, and it seemed that the day was not far away when the holding of human beings in bondage would be held unlawful in every State. Nor were the aspects of slavery at this

¹ See p. 46.

time generally forbidding or revolting. In regard to the conditions of slave life a traveler named Isaac Weld made the following observation in 1795: "The slaves on the large plantations are in general very well provided for and treated with mildness. During the three months, nearly, that I was in Virginia, two or three instances of ill treatment towards them came under my observation. Their quarters, the name whereby their habitations are called, are usually situated one or two hundred yards from the dwelling-house, which gives the appearance of a village. Adjoining their little habitations the slave community have small gardens and yards for poultry which are all their own property: they have ample time to attend to their own concerns and their gardens are generally well stocked and their flocks of poultry numerous. Besides the poultry they raise for themselves they are allowed liberal rations of salted pork and Indian corn. In short, their condition is by no means so wretched as might be imagined. They are forced to work certain hours in the day, but in return they are clothed, dieted, and lodged comfortably, and saved all anxiety about provision for their offspring." But this description of slavery, the same traveler said, applied mainly to Virginia. In some of the other States he found that slaves were treated in a manner that could not possibly be defended upon grounds either of humanity or justice.

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V

THE OCCUPATIONS OF THE PEOPLE

Agriculture was the mainstay of the nation. More than nine tenths of the people were tillers of the soil. But farming was carried on under hard and exacting conditions. Outside the more thickly settled regions everything was wild and raw. To the eyes of the observing Frenchman Volney, who made a journey through the United States soon after it became a nation, the whole country seemed to be little else than a great forest. "During the long journey," he says, "from the mouth of the Delaware through Pennsylvania, Maryland, Virginia, and Kentucky, to the river Wabash, thence through the Northwest Territory as far as Detroit, thence by way of Lake Erie to Niagara and Albany, I scarce traveled three miles together in open and cleared land. Everywhere I found the roads, or rather paths, bordered and overshadowed with coppices or tall trees. The fields are for the most part full of stumps half burnt or stripped of their bark and still

Tillers of
the Soil

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standing; while both houses and fields are swallowed up in masses of forest and diminish in number and extent the further you advance into the woods."

The State of
Agriculture

The implements used by the farmer were as primitive as they were in the days of the Greeks and Romans. The plow, drawn usually by oxen, was made chiefly of wood. On ill-shaped moldboards were fastened the blades of old hoes, thin strips of iron, or worn-out horseshoes. The beam was a simple straight stick. The handles were cut from the branches of a tree. The methods of harvesting the crops were as ancient as the methods of tillage. Grain for the most part was still cut with the sickle, although the scythe and cradle were coming into use. Wheat was still threshed from the straw by the flail or tramped out by the feet of oxen or horses. Fertilizers were seldom used, for the improvement of the soil received but little attention. When a tract of land was so far exhausted that it no longer yielded profitable crops it was abandoned for a fresh tract where the soil was virgin. "Agriculture," said an observer, "does not consist so much in cultivating land as in killing it."

Commerce
in 1783

Next to agriculture the leading interest of the nation lay in its commerce. Opportunities for trading were great. The products of the forest and farm, the timber and staves, furs and hides, wheat and tobacco and indigo, were in excess of the needs of the people at home, and the surplus readily found buyers abroad. Before the Revolution the colonists were carrying on a thriving trade with almost every country in the world. In 1766 twenty-three hundred vessels, sailing from foreign shores entered the ports of the thirteen colonies.

During the Revolution this trade suffered greatly, although throughout the period of hostilities American privateers scoured the oceans and found exciting and lucrative employment in capturing English merchantmen and selling them as prizes. But with the winning of independence serious commercial troubles arose. In colonial times, as we have seen, the trade with the West Indies had been of immense value to the Americans.¹ The New Englanders sent to these islands their fish and lumber, while the middle colonies sent beef, poultry, horses, oxen, and sheep. When the colonial ties were severed a large portion of this trade was suddenly lost. Even before the Treaty of 1783 had been signed Eng-

¹ See p. 33.

land proclaimed that henceforth all trade between the United States and the British West Indies should be carried in British-built ships owned and navigated by British subjects. The blow dealt by England was quickly followed by another dealt by France, for in August, 1783, the French Government excluded American vessels from the ports of the French West Indies. The immediate effect of these prohibitions was to cut off the people of the United States from a most profitable source of trade and to cause their commerce to languish.

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Manufacturing was also in a deplorable condition. During the Revolution industry in some lines was stimulated by the necessities of the war, but upon the return of peace the market was flooded with British goods. Foreign manufactures became so cheap and plentiful that their consumption was almost wanton. As a result the newly developed industries quickly went down before the fierce assault of foreign competition. The war gave America its political independence, but it left the country in a condition of industrial dependence.

Manufac-
turing

This industrial dependence was in part due to the fact that in the arts and processes of manufacturing America was far behind the countries of Europe, where wonderful progress was being made in the industrial realm. In England the flying-shuttle of Kay, the steam-engine of Watt, and the spinning-machine of Arkwright were revolutionizing industry, but this industrial revolution had not reached the United States by 1783. England had a monopoly of the new machinery which she jealously guarded. Parliament prohibited the exportation of machines used in the textile manufactures. Violations of the law were punished by fine and imprisonment. Severe measures were also taken to prevent English artisans from emigrating to other countries. Thus industrial progress in America was delayed.

The
Industrial
Revolution

Industry was still in the household stage and was extremely simple both in its organization and in its methods. A glimpse at manufacturing conditions is given in the following description of the town of North Brookfield, Massachusetts: "There were about a thousand people in this town. These were nearly all husbandmen. What few mechanics there were, were also farmers. Among these half-mechanics and half-farmers were a blacksmith, a nail-maker, a gunsmith, wheelwrights, carpenters, coopers, cobblers, broom-makers, and tailors. The cobblers had a bench in their kitchen and

Manufac-
turing
Conditions

would also go around to the farmers' houses with their kit, and stay a week or so, mending and making the family supply of shoes. The father or grandfather was still making some of the brooms. The wheelwright made ox-cart wheels, axles and tongues, the remainder of the cart being made by the farmer. The carpenter had little to do, because every thriving man could hew, mortise, and lay shingles. The spinning, weaving, and dyeing were still done in the households. Every family owned a great and a little wheel as well as a loom. Soap was made in every family."¹ There were shops where special trades were carried on, but they were usually small. In a typical shop the entire working force consisted of three persons: the master, one skilled workman, and an apprentice. On the great estates in the South there was a rude kind of industry carried on by slaves. A well-equipped plantation, like Washington's at Mount Vernon, for example, had a mill for the making of flour, a forge for making nails and other articles of iron, a carpenter's shop, and a weaving-room where the coarse clothing of the slaves was made. The plantation was thus sometimes a self-supporting community, like an English manor in the middle ages. There were no great factories in 1783. There was no large body of working-men who could be distinctly classed as employees, and there were no trade-unions. Almost every artisan was himself a proprietor; he was the owner both of the tools with which he worked and of the articles which his craft fashioned. Under such conditions there could of course be no such thing as a labor problem.

MEANS OF COMMUNICATION

Industry remained simple and primitive largely because there could be no highly organized commercial or industrial life in a country where the means of communication were so bad as they were in the United States in 1783. Such a thing as a system of good highways connecting community with community and State with State had perhaps never been seriously thought of. The railroad had never been dreamed of. A road in most cases was an Indian trail too narrow for a wagon but wide enough for travel on horseback. On some of the roads a coach or a light two-wheel vehicle—the wonderful one-horse shay—could lumber along, but only with great difficulty and much delay. Often travelers were compelled to alight and assist in pulling the vehicles out of the mud in which the

¹ Quoted in R. M. Tryon's "Household Manufactures"; p. 145.

horses floundered. Sometimes the main highway was so impassable that fences had to be pulled down and a new road made through the fields. The day of bridge-building had not arrived. No large river had yet been spanned. When the traveler came to a stream his vehicle was either carried across in a scow or was driven through the water. The crossing of streams was nearly always attended by discomfort and frequently by danger. Sometimes driver, coach, and horses were swept down the stream by a swift-flowing current.

Under these wretched conditions of travel anything like speed was, of course, out of the question. A day's journey on the best of roads was rarely more than forty miles. On the ordinary road the traveler was thankful if he covered twenty-five miles between sunrise and sunset. A trip from Philadelphia to New York required almost as much time as is now consumed in going across the continent. One traveler tells us how by getting up at four o'clock in the morning and traveling till late at night he managed to make the journey from New York to Boston in a week.

Travel by water was almost as unsatisfactory as it was by land. Sailing packets, or sloops, plied between the different towns located on the banks of navigable waters. But the traveler could not tell precisely when his sloop would sail, nor could he calculate the length of the voyage, for the time of sailing and the length of the trip depended entirely upon the wind and the weather. The vessels which ran from Providence to New York would often make the journey in three days, but with rough weather and unfavorable winds a week would sometimes be required. The voyage from Albany to New York by sloop regularly required several days, but if the winds were very light two weeks were consumed. Travelers on the slow-going packets would sometimes take to a small boat, row ashore, refresh themselves with food and drink secured at farm-houses, and then by quick rowing overtake their vessel.

The only passable highway between the East and the Mississippi Valley was a road which ran from Philadelphia through western Pennsylvania over the Alleghany Mountains to Pittsburgh, which in 1783 was a village of only two or three hundred inhabitants. From Pittsburgh travelers were carried in flatboats down the Ohio to the Kentucky settlements¹ or on to the shores of the Mississippi where stood the little fur trading village of St. Louis. The Kentucky settlements could also be reached by a southerly route, which

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Conditions
of Travel

¹ See p. 46.

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carried the traveler through the Cumberland Gap and along Boone's road. But travel by this route was so dangerous that those who made the journey were compelled to arm themselves as for a military expedition and advance as if in array for battle.

The Mails

The only means for transmitting intelligence was through a slow and irregular system of mail. In 1775 a general postal system had been established with Benjamin Franklin at its head, and by 1783 a letter could be sent from Falmouth in Maine to Savannah in Georgia. Philadelphia and New York received mails five days in the week. In a few other places there were as many as three mails a week, but a town was lucky if it got one mail a week. Letters sent to places far removed from the main post-roads, to the mountainous districts of New England or to the pioneer settlements at the West, were longer in reaching their destination than is now required to reach a point on the opposite side of the globe. In the transmission of mails there was no provision for secrecy or security. Letters were opened and read by the carriers in the most shameful manner. So far was this practice indulged in that Madison and other leading men found it necessary to conduct a part of their correspondence in cipher. Post-riders on their long and tedious journeys could generally find time enough to read all the missives entrusted to their care, for it was seldom that the entire mass of letters exceeded the capacity of a single pair of saddle-bags. On an average a man did not mail more than one letter in a year.

THE EVERY-DAY LIFE OF THE PEOPLE

Distinc-
tions in
Social Rank

Society in the new nation presented widely different aspects to a traveler passing from one group of States to another. In New England the people lived in small towns and were engaged in trade and in the simple occupations of fishing and ship-building. In the large towns, as in Boston, Salem, Portsmouth, and Newport, there were a few wealthy citizens, but, as a rule, among New Englanders there were no great distinctions in wealth or social rank. Everybody was well to do, beggars and paupers being almost unknown. Industry and thrift were the watchwords of life. In the Middle States there was an aristocratic class whose social rank was based largely upon wealth acquired in the commercial world. The center of this aristocracy was Philadelphia, the largest and most attractive city in the country. In the Southern States class distinctions were

clearly marked. At the bottom of the social scale were the negro slaves; above these were the poor whites who earned a living by manual labor; at the top of the social ladder were the owners of the great plantations. The landed gentry were in a very true sense an aristocratic class. They had wealth sufficient for the support of elaborate and even splendid establishments. In some cases their homes were spacious mansions; on their tables were the most delicious foods and the choicest wines; their coaches were richly appointed, and they traveled in stately fashion. They had abundant leisure, for their slaves did most of the work. A large part of their time was spent on horseback, visiting their neighbors and riding over their plantations. But the Southern gentleman did not always fritter away his time. Often he surrounded himself with books and devoted himself to serious study, preparing for leadership in the scenes of public life.

Men and women were everywhere deeply religious, but religion was no longer the power that it was in the days of Winthrop and Calvert and Williams. Puritanism had lost much of its austerity and the power of the old New England theocracy was gone. Boston had long since become "a cemetery of lost ideals." The Puritan preacher, still a man of power in public affairs, was not the narrow-minded sectary of the early times. "Compared with Cotton or Hooker," says McMaster, "a New England minister of 1784 had indeed made vast strides toward toleration. He was a very different man from the fanatics who burned Catholics at the stake, who drove out the Quakers, who sent Roger Williams to find an asylum among the Indians of Rhode Island, and sat in judgment on the witches of Salem and Andover." In nearly every State the affairs of religion had been entirely separated from the affairs of government and churches were no longer supported at public expense. In the States where religious liberty had not been fully achieved there was a movement toward the complete separation of church and state, which was soon to be crowned with success, thanks largely to Thomas Jefferson, who worked with the zeal of a crusader in behalf of the doctrine that the rights of conscience should never be submitted to the decisions of rulers. "To compel a man," said Jefferson, "to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical; the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contribu-

CHAP.
VA Religious
PeopleReligious
Liberty

tions to the particular pastor whose morals he would make his pattern, and whose power he feels most persuasive to righteousness." Of all the services rendered by Jefferson to his country none was more valuable than the fight which he made for religious freedom. For if our republic is new in an important sense, if it has introduced anything really novel among human institutions, that new thing is the separation of church and state.

In education some progress was being made in all the States, although illiteracy was everywhere widespread. In the number of schools, and perhaps also in the quality of instruction, New England took the lead as it had always done. Here there were many common schools, at which children could learn to read, spell, write, and cipher. Geography was sometimes taught, but seldom was there such a thing as a map or a globe to assist the learner. Besides the common schools there were scattered throughout New England academies such as Phillips Exeter Academy in New Hampshire, and the Phillips Andover Academy in Massachusetts. Excellent academies were also found in the Middle and Southern States. At the academy the youth received instruction in Latin, Greek, and mathematics, the curriculum handed down from medieval times. Outside of New England common schools were few indeed. In New York and Pennsylvania it was only in the larger towns that there was even a semblance of popular education. In the South, where the people lived far apart on great plantations, it was next to impossible to maintain schools. Accordingly the Southern planter was compelled either to employ a tutor or a governess for his children, or to let them grow up in ignorance. In some cases several planters joined to employ a teacher. But education at the South was always a matter of private expense; there was no attempt to support schools out of the public purse. Education, therefore, was for the favored few. Indeed, this was true in a sense throughout the nation at large. For in no State, whether in the North or in the South, was there anything that could be called a system of free schools for all children of school age. Higher education for the more fortunate was gaining a foothold in almost every State. By 1783 Harvard, William and Mary, Yale, the University of Pennsylvania, Princeton, Columbia (King's), Brown, Rutgers, Dickinson, and Dartmouth had been founded and were giving instruction in advanced subjects. But the colleges were for men only; there were no institutions for the higher education of women. If a girl

went beyond the rudiments she must receive her instruction from a private tutor. Nor were there special schools for training in the professions and in the mechanical arts. There were, it is true, in the whole country two medical schools, but these were so poorly equipped that it was impossible to furnish adequate instruction. The medical education of the day consisted, as a rule, of the knowledge that a doctor's apprentice could glean from books and of the experience he gained while in the performance of his duties, "grinding the powders, riding with the doctor on his rounds, holding the basin when the patient was bled, helping to adjust plasters, sewing wounds."

CHAP.
V

That indispensable handmaid of education, the printing-press, was found in every State. In almost every large town there was a newspaper of some kind, but journalism was limited in its influence to the place and region in which each paper was published. The daily paper was just beginning to take its place as an institution of every-day life. The "Advertiser" of Philadelphia, which was founded in 1784, was a daily, and so was the "Advertiser" of New York, which appeared in 1785. That other handmaid of education, the public library, was as yet unknown. In the large towns and cities there were here and there libraries under society ownership, but these could be used only by a chosen few; the masses had no share in them.

Newspapers
and
Libraries

The chief work of the printer was to publish pamphlets, almanacs, and newspapers. The number of books he was called upon to print was few, for most of the books that were read in America came from the pens of English authors and were printed on English presses. Conditions in America were not yet favorable to authorship, and nothing that could be called a national literature had appeared or was even beginning to appear. Many years passed after we became a nation before our forefathers had much leisure for the reading or writing of books. They had quite enough to do to keep off the Indians, clear the forests, and bring the land under cultivation. "The men," says McMaster, "whose writings now form our national literature, the men we are accustomed to revere as intellectual patriarchs, all whose works have become classics, belong without exception to the generation which followed the Revolution. . . . Our ancestors were, therefore, in 1784 shut out from the only national authors whose writings are by this generation thought worthy to be read. They possessed no poets better than

Early
American
Literature

Philip Freneau and Timothy Dwight. No novelist, no dramatist, no really great historian had yet arisen. Among the living statesmen none had produced anything more enduring than a political pamphlet or a squib."¹

Civilization in its material aspects did not fall far below contemporary European levels, although when measured by the standards of to-day the America of 1783 was primitive indeed. Could we go back to that day and get a glimpse of the streets, the houses, the furniture, the cooking utensils, the machines of industry, and the agencies of transportation, things would look so plain and crude and strange that we would seem to be living in another world. The streets of the towns were little better than the roads in the country, unpaved, narrow, full of holes, without lights at night. The only factory was a little shop in which some simple machinery was operated by hand. Steam had not yet come into use. The dwellings would now be regarded as abodes of discomfort. A few mansions belonging to the well-to-do had the semblance indeed of magnificence, but not even these were supplied with those useful inventions that now do so much to make life comfortable and agreeable. There was no hot-air furnace or steam-heating apparatus to keep the house warm. Coal was never burned. There was an open fireplace upon which logs were burned, sending half the smoke through the house and half the heat up the chimney. A stove was seldom seen. As for a match to start a flame, that was a thing as yet unknown. A bath-tub was a rare luxury. Water had to be carried from a stream or pumped from a well. In no place had there been installed a system of running water. The only light was the flame of a lamp, for even the gas-light had not yet come into use. There was no sewing-machine to save the fingers of the seamstress and few were the inventions that lightened the burdens of the housewife. The uses of electricity were unknown. There was, therefore, no telephone to keep the family in touch with the outside world. On the table the dishes in most homes were severely plain and few in number. But there was plenty to eat, for food was abundant and cheap. A big turkey could be bought for a shilling, while pigeons sold for a penny a dozen. A writer tells us of a dinner he had in Philadelphia when this was on the table: duck, ham, chicken, beef, pig, tarts, custard, jelly, floating-island, beer,

¹J. B. McMaster, "A History of the People of the United States"; Vol. I, p. 78.

porter, punch, wines! Yet as heavily laden as this table was, it seems to have contained no fruits or vegetables. This is no cause for wonder for few and scarce were the products of the garden and orchard. Of cantaloups, tomatoes, rhubarb, sweet corn, cauliflower, the egg-plant, head lettuce, and okra, these ancestors of ours had never even so much as heard.

This plain and homely living comported well enough with the modest means of the people. Opportunities for the accumulation of great wealth were not present. There were no railroad properties or mining interests to be manipulated, no monopolization of commodities possible, no banking schemes available for exploitation. What a man got he had to acquire by industry and business thrift, and the accumulation of a fortune was necessarily a slow process. In 1783 there was not in all America a single person who would now be regarded as a possessor of great wealth. The richest man was probably George Washington, whose fortune was less than half a million dollars. According to an estimate made by Professor Beard, the total taxable value of all the lands in the United States in 1787 was \$400,000,000—a sum which about half measured the reputed wealth of John D. Rockefeller in 1921.

CHAP.
V
A People of
Modest
Means

There was enough wealth in 1783, however, to support the pretensions of a fashionable class. In New England fashion's grip was not very strong. Religion there still had such a firm hold on the hearts and minds of the people that they shunned the gaieties of fashionable life. The average New Englander "held it as an abomination to read a novel, to see a play, to go to a dance, to make a jest, to sing a comic song, or to eat a dinner cooked on Sunday." The real center of the fashion and luxury of the country was Philadelphia, where the aristocratic class consisted simply of well-to-do persons, birth or position having little to do with the assignment of rank. Even the Quakers were not averse to fashion and display. "Nowhere," says S. G. Fisher, writing of the Philadelphians, "were the women so resplendent in silks, satins, velvets, and brocades, and they piled their hair mountain high. It often required hours for the public dresser to arrange one of these head-dresses. When he was in great demand, just before a ball, the ladies whom he first served were obliged to sit up all the previous night and move carefully all day, lest the towering mass should be disturbed." Balls and routs and dances were common, theaters were open, and banquets of the most elaborate character were served. John Adams,

The
Fashion-
able Class

CHAP.
VAmuse-
ments

who was accustomed to the plain living and the steady habits of New England, stood aghast at the gay life which he saw in Philadelphia, and thought it must be sin.

Only in the large cities, however, were rounds of gaiety and varied pleasures possible. The great majority of the people lived under conditions so completely rural that amusements were of necessity simple in character and few in number. The theater was in some States under the ban of the law, and it was not until about 1790 that plays of merit began to be staged and actors began to receive at the hands of the law a treatment better than that which was accorded to vagrants. There was dancing almost everywhere, but in many places the dancers had to face the stern reprobation of public sentiment. Hunting was a sport indulged in by almost everybody that could carry a gun. In the thinly settled country it was a sport that partook of the nature of a task. For wolves and bears and foxes had to be driven from the clearings in order to protect the cattle, and wild game had to be secured for the table. The farmer and his boys, therefore, when they were luring wild turkeys into pens, or catching wolves in traps, or bringing down bears with rifles, could enjoy the pleasure of hunting and at the same time perform useful labor. In the South much of the leisure of the planter was given to horse-racing, which had so far become a science that it was regarded as part of a gentleman's education. The planter was fond also of the chase which was so common in Virginia that a traveler, Chastellux, thought that it was the constant baying of foxhounds that prevented the women from becoming good musicians. In the winter season nothing was enjoyed so much as sleighing. "When the snow," says Schouler, "lay crisp on the ground the merry jingle of bells was incessant, and the whole country bestirred itself; tavern-keepers were kept up all night. The girls had prepared bags of hot sand, which their gallants would place in the sleigh at their dainty feet. If the party were large and bent upon a social frolic, a fiddler was placed on the front seat, who played on the way; and then alighting at some inn the company sought out the well-lighted parlor, and formed for a reel to his music on the well-sanded floor." The Virginians were especially fond of out-door sports, and at the fairs which were held at the county seats it seemed that Merry England had been transported across the Atlantic. At a fair held in Norfolk "a gilt-laced hat was placed on the top of a pole well greased and soaped, and as man

after man climbed it only to slip down with a rush before he reached the prize, the crowd screamed with delight, until some enduring one succeeded. Pigs were turned loose and the whole crowd chased them to catch them by their greased tails. Some were sewn up in sacks and ran races, tumbling and rolling over each other." The day of tennis and golf and of our national pastime, baseball, was still far away.

CHAP.
V

That other national pastime, politics, was a game that was not yet played, although it was one that was presently to be learned. Men were not yet organized into political parties, and issues of a national character had not assumed a definite form. The affairs of government in nearly every State were in the hands of a ruling class that held power by virtue of its social or commercial prestige and influence rather than by virtue of a victory won in a regular party fight at the polls. The people, it is true, had a voice in government, but the suffrage was severely restricted. A majority of the States placed a direct property qualification on the voters and in the other States virtually all who were not taxpayers were excluded from the franchise. In some of the States good behavior and religious belief also figured among the qualifications. The terms for the franchise as laid down by Connecticut were as follows: "The qualifications for freemen are that they be at least twenty-one years of age, possessed of freehold estate to the value of 40s. per ann. or £40 personal estate in the general list of estates in that year wherein they desire to be admitted Freemen; or are possessed of estate as aforesaid and by law excused from putting it into the list; and being of quiet and peaceable behaviour." The net result of the various restrictions on the ballot was an extremely small electorate. Dr. J. F. Jameson tells us that in Massachusetts about 16 per cent of the population were entitled to vote under the law and that it was only in years when there was great political excitement that 5 per cent of the population actually voted. Thus Americans had hardly yet learned the meaning of democracy.

Politics;
the Suffrage

But they had learned the meaning of liberty. Having just escaped from England's yoke they were enamored of their newly acquired freedom and were responding to the impelling power of a new affection. Liberty was their theme and their song. "In their eyes honor had no allurements, wealth no value and existence itself no charms, unless liberty crowned the possession of those blessings." The Fourth of July was celebrated in a way that made it a real

A Liberty-
loving
People

influence in the lives of the people. Fervid orators voicing the spirit of America spoke as with tongues of fire. "No longer," exclaimed a speaker on Independence day in Boston in 1786, "no longer are we bound in swaddling clothes and laid at the footstool of a royal master, but arrayed in the glorious garb of independence, we are seated among the nations of the world. O blessed emancipation! Ye worthy patriots, ye faithful sons of genuine virtue, salute with rapture this returning day! Hail Independence, ye blooming daughters with your grateful songs. Let no envious brow disturb the gladdening scene; let no wretch wear the sullen gloom of sorrow—be every humble tie forgot, each care suppressed amid the general joy!"

Suggested Readings

- The original make-up of the American people: Ross, pp. 3-23.
 At the end of the era: Channing, Vol. III, pp. 552-573.
 Commercial and financial conditions: McLaughlin, pp. 35-52.
 The New England minister: McMaster, Vol. I, pp. 31-35.
 Low state of literature: McMaster, Vol. I, 75-82.
 Opposition to the Theater: McMaster, Vol. I, pp. 83-95.
 Schools: McMaster, Vol. I, pp. 21-28.
 The order of the Cincinnati: McMaster, Vol. I, pp. 167-176.
 Postal service in the early days: McMaster, Vol. II, pp. 59-65.
 Writers of the Revolutionary period (1765-88): Trent, pp. 37-55.
 Industrial conditions (about 1783): Simons, pp. 100-107.

VI A TIME OF GREAT DANGER

STATE CONSTITUTIONS AND STATE GOVERNMENTS

LIBERTY-LOVING Americans in 1783 were struggling with the most difficult problem that can engage the attention of a free people. This was the problem of self-government. The colonists, realizing that independence would mean self-dependence, began to prepare for a new order of things even before they broke away from Britain. As soon as one of the old colonial governments was overthrown a new State government was organized to take its place. This organization was effected through the agency of a revolutionary body known as a convention or congress. As the basic or fundamental law of each new State there was adopted by the convention a written constitution, which was substituted for the old colonial charter or grant. Rhode Island and Connecticut, however, did not deem it necessary to frame new constitutions; they simply changed the word "king" to "people" in their existing charters and adopted these as their constitutions. Each State was free to establish whatever form of government it desired and it is significant that not one chose to set up a monarchy; in every case the convention provided for a representative democracy. "The people," said Jefferson, "seem to have laid aside monarchical and taken up the republican government with as much ease as would have attended their throwing off an old and putting on a new suit of clothes." All the constitutions were adopted in the name of the people, although not all were submitted directly to the people for their approval. But in every State the constitutional convention regarded itself as acting in the name of the people, and in every State the new constitution was accepted as declarative of the people's will. "We, therefore," reads the Georgia constitution of 1777, "the representatives of the people, from whom all power originates and for whose benefit all government is intended, by virtue of the power delegated to us, do ordain that the following rules and regulations be adopted for the future government of this

The New
American
State

State." Every State began its history with the people as the masters of government.

The most important feature of a State constitution was the bill of rights, which declared the fundamental liberties of the people. In this declaration were stated in black and white the privileges and immunities which the citizens of the State were to enjoy: the right of life, liberty, and property; religious freedom; trial by jury; freedom of the press; security of person, houses, papers and possessions against unreasonable searches and seizures; due process of law; open courts where justice was to be dispensed without sale, denial, or delay; habeas corpus; the right of assemblage and of petition; the subordination of the military to the civil power; the right to alter and reform the government. These rights, the fruitage of many centuries of costly and patriotic endeavor, constituted the most precious portion of the great heritage of freedom which was handed to America from England.

The forms of the governments provided by the several constitutions differed in details, but, broadly speaking, the differences were not great. In accordance with the dominant political philosophy of the time, in each of the new States three great departments of government were established—the legislative, the executive, and the judicial. In theory each of these departments was supposed to be quite independent of the other two and was to act as a check upon another department whenever it presumed to overstep its powers. In all the States except Pennsylvania the new legislature consisted of two branches, the upper house being called the Senate and the lower house—in most States—the House of Representatives. Pennsylvania adopted a law-making body of a single chamber, her action in this matter having been due, it is said, to the influence of Franklin, who likened a bicameral legislature to a wagon with one horse hitched in front and another behind, pulling in opposite directions. At the head of the executive department in every State was a governor—called in some instances the president. The governor in some of the States was elected by the legislature; in others by the direct vote of the people. Since the governor in colonial times had been a most unpopular officer, the new State constitutions were careful not to bestow upon him any more power than was absolutely necessary. In some of the States he was allowed to hold office for only one year, on the ground that a longer term was inimical to liberty. "Where annual election ends," said Samuel

Adams, "tyranny begins." In only one State was the governor given the power of the veto. In every State there was a system of courts, the judges of which were either appointed by the governor or chosen by the legislature. In no State were the judges elected by the people. Such was the organization of the State which was erected upon the colonial foundation.

CHAP.
VI

What were the powers of the new State which emerged from the wreckage of the colonial establishment? Broadly speaking, they were precisely the same powers which had been exercised by the colony. The new State prescribed the legal relations that were to exist between husband and wife, parent and child, master and servant; it regulated buying and selling, debt and credit, partnerships and contracts, wills and inheritances; it granted charters to cities, boroughs, towns, villages, banks, colleges, seminaries, and regulated all corporations public and private; it controlled local governments of every kind; it provided for a system of police protection; it made laws relating to farming, fishing, manufacturing, mining, trading, and all other forms of industry; it defined and punished crime; it administered justice; it determined the civil rights of its citizens; it prescribed the qualifications of voters and provided for the holding of elections. Thus the State which came into being with the Revolution was possessed of very broad and comprehensive powers and was supreme in most of the affairs which concern men in their daily life.

The Powers
of the
State

THE CONFEDERATION

But the new State was not supreme in everything; it did not possess *all* the attributes of a *sovereign* nation. For even before any new State had been organized there was coming into being in America a central government the rudiments of which appeared in the Continental Congress of 1775. This Congress, as we have seen, assumed some of the powers which belong to a sovereign government. As it was a revolutionary body, its only real credentials of authority were to be sought in the exigencies of the struggle in which the colonies were engaged; it did the things that were necessary to carry the Revolution to success. Of course it was guided by the force of public opinion; it did the things it thought the American people wished it to do.

The
Movement
for Union

But the powers of the Continental Congress were of an indefinite

and transitory nature, and by 1776 our leaders saw that the central government ought to have definite powers and a permanent organization. Accordingly, even before independence was declared a movement was begun to bring the States under a regular permanent government, and by March, 1777, the Continental Congress had agreed to the Articles of Confederation, which provided for a political union to be known as the United States of America. The Articles were subject to ratification by the States.

Several years passed before the Articles were ratified. One chief cause of delay was a dispute as to the ownership of the western territory. By virtue of the provisions of colonial charters granting territory from sea to sea, and for other reasons, seven States claimed territory lying west of the Alleghanies, while six States—New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland—could make no such claims. But, inasmuch as the western territory, if it was to be won at all, would be won by united action, the States with no claims were unwilling that the claimant States should enjoy all the fruits of victory, and did not care to join the proposed Confederation unless satisfactory arrangements could be made in regard to the western lands. By May, 1779, however, all the States had agreed to the Articles except Maryland, which withheld ratification until the States claiming land in the western territory should surrender their claims into the hands of the Confederation. After long contention Maryland gained her point: Virginia, New York, and Massachusetts, the States that had been insisting upon their claims, agreed to abandon them. Accordingly on March 1, 1781, Maryland agreed to the Articles. On the following day the old Continental Congress assembled as the Congress of the Confederation and began to act under the Articles.

The government established by the Articles was in its essential features the same as the one which it supplanted. The only difference was that the new central government needed no longer to flounder in uncertainty, for its organization and its powers were precisely described and defined by a written instrument. The governing body of the new nation was a Congress composed of delegates from the several States, just as the Continental Congress had been composed. A State could send to the Congress not less than two delegates nor more than seven. Whatever might be the number of the delegates sent, the voting strength of one State in the Congress was as great as that of another, for each State had one

vote and no more. The vote of a State was determined by a majority of the delegates present. Under this system of voting the great State of Virginia, whose population was climbing toward a million, had no more power in the Congress than little Rhode Island with her handful of inhabitants. Delegates were appointed to the Congress in such manner as each State might direct, and they received their salaries, not from the central government, but from the treasuries of the States which they represented.

The new Congress, like the old one, sat as a single house, the Articles having made no provision for an upper and a lower branch. Congress could with the assent of nine States engage in war, make treaties, coin money, borrow or appropriate money, or appoint a commander-in-chief of the army. Five States, even the five smallest, could block legislation of the most vital importance. Amendment to the Articles was made so difficult that it may be said that the power to alter or amend was virtually denied, for an amendment had to be agreed to first by the Congress and then by the legislatures of *all* the States.

The powers of the new government were all vested in the Congress. There was a president of the Congress elected by the delegates from their own number, but he possessed no executive power, his duties being simply those of a presiding officer. Such executive functions as were performed by the government of the Confederation were administered by a group of members known as the Committee of States, consisting of one delegate from each State. For the general execution of its laws there was no distinct executive branch, and for the trial of cases arising under its laws there was no judicial branch. The laws of the Congress operated not upon individual citizens but upon States. If a State chose to disobey a law there was no means of enforcing obedience.

The powers conferred upon Congress by the Articles were for the most part the identical powers which the Continental Congress had been exercising during the Revolution. Under the Articles Congress was given power: (1) to determine questions of peace and war; (2) to enter into treaties and alliances; (3) to send and receive ambassadors; (4) to make rules governing captures on land and water; (5) to decide upon appeal disputes between the States concerning boundaries; (6) to determine the value of current coin; (7) to manage Indian affairs; (8) to establish and regulate post-offices; (9) to appoint naval officers, and army officers of the higher

CHAP.
VI

A "League
of Friend-
ship"

grades. The States, while vesting these powers in the government of the United States, expressly denied the same powers to themselves and pledged themselves to abide by the decisions of Congress in all matters which came within the range of its rightful authority.

Regarded as a form of political union the Confederation was hardly anything more than an alliance. By the terms of the Articles each State was to retain its sovereignty, freedom, and independence, and every power, jurisdiction, and right which was not expressly delegated to the Congress. The Confederation was expressly declared to be a league of friendship "into which the States entered for their common defense, the security of their liberties, and their mutual and general welfare." But the union thus formed was to be permanent. "We do further solemnly plight," reads the concluding Article, "and engage the faith of our respective constituents that these Articles shall be inviolably observed by the States and that the Union shall be perpetual."

THE EVIL DAYS OF THE CONFEDERATION

But it was impossible for such a union to be perpetual, for the Confederation at best was only a makeshift arrangement. As long as the war lasted, it is true, the new government met with a measurable degree of success, but with the coming of peace the Confederation at once started on a downward course.

Why the
Confedera-
tion Was
Weak

The chief cause of the misfortunes which befell it was the inherent weakness of the government established by the Articles. The Congress was given no real power; it could only advise or recommend or suggest. "As a body," says McMaster, "Congress was absolutely destitute of the fundamental power when stripped of which no government, no society, no organization, known among men, can long hold together; that power which the African negro gives to his chief, which the Indian bestows upon his sachem, and which even by thieves and pirates is acknowledged to belong to the men who command them—the power of compelling obedience to decrees."

The
Confedera-
tion and
Foreign
Affairs

The impotence of the Confederation became apparent as soon as Congress undertook to deal with foreign affairs, the most important subject which could come before it. Soon after peace was declared Congress was called upon to carry out the clause in the Treaty of 1783 which provided for the treatment to be accorded to the Loy-

alists. According to the treaty, it will be remembered, Congress was to request the several States to desist from persecuting the Loyalists and to give them the opportunity to recover the property which had been taken from them in the days of the Revolution. Congress faithfully made the recommendation, urging fair treatment for the Loyalists, but its recommendations were received with contempt. In some of the States the Tories—as the men who had remained loyal to Great Britain were still called—were treated almost as badly after the signing of the treaty as they had been during the war. Frequently they were subjected to mob violence, tar and feathers being sometimes used. Often they received Jed-wood justice—first the punishment, then the accusation, and last of all the evidence. In many cases they were ordered to leave the country. And they did leave in great numbers, so bitter was the persecution that was directed against them and so ineffectual were the efforts made by Congress to protect them.

When it was found that the Congress was unable to enforce treaty obligations, foreign powers hesitated to enter into agreements with the new nation. The countries that had helped us or had sympathized with us in the Revolution—France, Sweden, the Netherlands, Prussia—agreed, indeed, to commercial arrangements which had the effect at least of extending to us friendly assurances. But England pursued a hostile course. We have seen how hard was the blow which she dealt our commerce when she excluded American vessels from trade with the British West Indies. In 1785 she refused outright to make a commercial treaty with the United States, on the ground that there would be no means of enforcing a compact even if one should be made, for Congress was utterly without power to regulate commerce. Because our government was powerless to fulfil the obligations of its treaties England failed to live up to her own obligations. In disregard of the Treaty of 1783 she retained possession of the frontier forts at Oswego, Erie, and Detroit. Spain also took advantage of the weakness of the Confederation. It was that country's deliberate intention to keep the Americans in the West away from the Gulf of Mexico. Accordingly in 1784 the Spanish Government informed Congress that England had no right to grant the Americans free navigation of the Mississippi¹ and gave warning that any American vessels attempting to use the river would be exposed to confiscation. Thus at the very

¹ See p. 90.

outset the United States was brought face to face with grave international problems which could not be dealt with firmly because of the weakness of the national government.

The feebleness of Congress was seen in domestic affairs almost as plainly as in matters of foreign concern. In the all-important matter of raising revenue to meet the expenses of government Congress had no real power. It could, it is true, ask the States for money, but it had no means of compelling a State to contribute a penny. It could borrow money, and it did borrow in considerable sums, but it could not assure its creditors that the money would ever be repaid. As a result, by 1783, its credit was exhausted. This was to be expected: the government, like an individual, could not hope to go on borrowing, unless there was a reasonable prospect of repayment.

The lack of the power to tax soon brought the finances of the Confederation to a sorry condition. At the close of the war money was needed to pay the troops who had fought the battles of the Revolution, to pay the expenses of the Confederation, and to pay its debts. But the national treasury was empty. At one time Congress did not have enough money to provide its secretary with pens, ink, and paper.

In order to relieve the situation Congress very early asked the States to give it power to collect a duty on imports, so that it might pay the debt incurred during the war of the Revolution. Most of the States were willing to do this; but Rhode Island withheld her consent, and that ended the matter, for one State could veto any proposed extension of the power of Congress. The reason given by Rhode Island for her refusal was that to grant to Congress the power to collect money would endanger the liberties of the American people. And in many places outside of Rhode Island the same reason for opposing the customs tax was given. Indeed, Virginia, which at first authorized the tax, afterwards repealed its act, fearing that its sovereignty as a State would be impaired and that its liberties would be jeopardized. Americans had just come through a long war which had arisen from opposition to taxation, and they were in no humor to invest the Confederation with a taxing power which they feared might prove to be a new source of oppression and injustice.

Congress, therefore, had to rely for its revenues upon recommendations and requests made to the States. Requisitions were made

from time to time, but the responses were unsatisfactory to the last degree. Between 1782 and 1786 Congress made calls upon the States amounting in the aggregate to more than \$6,000,000, of which only \$1,000,000 was paid. Through this failure of the States to do their part the government of the Confederation was of course kept in a state of perpetual bankruptcy. Money was always needed, but there was never any at hand.

In 1783 a situation of great danger grew directly out of the financial straits of Congress. After Yorktown the main American army went into camp at Newburg, New York. Here the soldiers experienced many hardships due to neglect. They grew restive and demanded their pay. "We have borne," they said in a petition which they sent to Congress, "all that men can bear—our property is expended, our private resources are at an end, and our friends are wearied out and disgusted with our incessant applications." This petition was followed by an anonymous address which was circulated among the troops with the evident purpose of exciting their resentment. The address was menacing in its tone and it alarmed thoughtful men, who feared that if the soldiers should disperse without their pay they would be hostile to Congress and their hostility would lead to the complete dissolution of the Confederation. Luckily a mutiny was averted by Washington, who was upon the scene and who induced the soldiers to entrust their cause to him. He laid their case before Congress, and that body granted such relief as it could, but the relief consisted chiefly of promises to pay. Toward the end of the year Washington bade the army an affectionate adieu, surrendered to Congress his commission as commander-in-chief, and retired to Mount Vernon. At the same time the army was disbanded. "The veterans," says Avery, "went home without a settlement of their accounts or a penny in their pockets. In little groups of four or five they trudged along living in great part upon farm-house hospitality. At his journey's end the veteran hung his memorial musket over the chimney-piece and turned again to the furrows and the cattle; years of suffering behind, years of suffering before."¹

The returning soldiers in every section of the country saw all around them evidences of a disordered condition of things, due in no small degree to the bad system of trade regulation. Each State

¹E. McKendree Avery, "A History of the United States and its People"; Vol. VI, p. 377.

had its own custom-house and its own tariff and could levy duties not only on goods coming from foreign countries but also upon goods coming from a sister State. Under this system each State regarded only its own interests; the interests of the nation at large were completely ignored. The duty on an article at one port was at one rate, at another port at another rate, and at still another port the article came in free of duty. When fixing duties a State was often influenced by motives of jealousy or retaliation, or by the hope of winning trade away from a neighbor. Massachusetts, New Hampshire, and Rhode Island by means of very heavy duties virtually closed their ports to British trade. Connecticut, there-

M^r President

The great events on which my resignation depended having at length taken place, I ~~forfeiting my resignation~~ ^{submitting} have given the honor of presenting myself before ~~them~~ ^{them} to surrender into their hands the trust committed to me, and to ~~surrender~~ ^{claim my discharge of} ~~retire~~ ^{retire} from the Service of my Country. —

Facsimile of a portion of Washington's resignation as Commander of the Army

upon, threw her ports wide open to British shipping and laid duties upon imports from Massachusetts. Here was an example of one State actually discriminating against a sister and a neighbor in favor of a foreign country. The conduct of New York was especially reprehensible. This State compelled "every Yankee sloop which came down through Hell Gate, and every Jersey market boat which was rowed across from Paulus Hook to Cortlandt Street, to pay entrance fees and obtain clearances at the custom-house, just as was done by ships from London or Hamburg; not a cart-load of Connecticut firewood could be delivered at the back door of a country-house in Beekman Street until it should have paid a duty." New Jersey was compared to a cask tapped at both ends because it was compelled to pay duties both to New York and Pennsylvania.

Congress several times asked the States for power to regulate commerce in such a way that these shameful exhibitions of local selfishness would no longer be possible, but the request was denied. State jealousy was too strong for such a sacrifice of power.

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VI

Another serious obstacle to trade was the chaotic state of the currency, for the monetary situation under the Confederation was as much confused as the commercial situation. The power to issue money resided in the States as well as in Congress, and each State had a currency system of its own. As a result there were so many different kinds of money in circulation that it was next to impossible to tell what a piece of money was worth. "There were doubloons," says McLaughlin, "pistoletes, gold johanneses, English and French crowns, English guineas, and Spanish dollars. In such a state of disorder and depreciation was the currency of the times and so much did terms differ from State to State that the dollar was worth six shillings in New England and Virginia, eight shillings in New York and North Carolina, seven shillings sixpence in Pennsylvania, five shillings in Georgia, and thirty-two shillings sixpence in South Carolina." Congress under its power to regulate the value of coins undertook to remedy some of the evils of the crazy-quilt currency. In 1785 it adopted a report prepared by Thomas Jefferson and Gouverneur Morris providing for a national currency based on the decimal system. According to the new system money was to be reckoned in dollars and cents, as it is to-day. For many years, however, the people clung to the old habit of estimating values in terms of the English denominations of pounds, shillings, and pence.

A Chaotic
Currency

But far worse than the confusion of the currency was its scarcity. The heavy importation of British goods after the return of peace¹ resulted in drawing away so much gold and silver that by 1785 there was not left in the United States enough hard money for the transaction of ordinary business. In many places the crops of farmers rotted in the field, not because there was no market for them but because there was no money with which to buy them. If the crops were to be disposed of at all the exchange had to be effected by the primitive and clumsy methods of barter. If the farmer wished clothes for his family he was compelled to go from village to village to find a cobbler who would take wheat for shoes or a tailor who would exchange clothes for vegetables. Money was everywhere

The
Scarcity
of Money

¹ See p. 97,

sorely needed, but where was it to come from? Congress could not supply it, for although it had the power to coin money it had no funds with which to buy bullion. Congress, it is true, could issue paper money, but the experience of the country with paper money had been disastrous. During the war Congress had issued large sums of paper currency and the individual States had also issued large sums. Persons refusing to accept the paper currency had been officially stigmatized as enemies of their country. Yet it had been next to impossible to keep the paper in circulation. "For two or three years," wrote John Witherspoon, "we constantly saw and were informed of creditors running away from their debtors, and debtors pursuing them in triumph and paying them without mercy!" All efforts to keep the issues in circulation at their face value failed completely; the people would not accept them. As a result they fell lower and lower in value until at last they became absolutely worthless—"not worth a Continental."

Although the failure of the paper issues was still fresh in the public mind there was, nevertheless, in every State a large number of people who believed that the evils due to the scarcity of money could be remedied by recourse to the printing-press. The friends of paper money were usually small tradesmen, farmers, and, of course, debtors, its enemies being the great merchants, the moneyed classes, and, of course, creditors. In 1785 and 1786 the clamors of the paper-money party became so loud and insistent that law-makers were compelled to listen. In some of the States the legislatures yielded to the popular demand and authorized issues of paper. New Hampshire, Massachusetts, Connecticut, Virginia, and Delaware refused to try anew the paper experiment; yet in each of these States the paper-money party had many adherents. In New Hampshire the building in which the legislature held its sessions was surrounded by a mob of several hundred persons demanding paper money; but the legislature was firm and the mob was thwarted in its purpose.

In the States in which issues of paper money were authorized expedients of all sorts were resorted to in order to make the experiment a success. In North Carolina the State government made large purchases of tobacco, paying for it in paper currency, but giving twice as much for each pound as the planter could obtain in specie. In Rhode Island the legislature passed what was called a "forcing act," which provided that every person who should refuse

to accept the paper money or should in any way discourage its circulation was to be fined heavily and lose the rights of citizenship. But in spite of cajolery, artificial expedients, and stringent laws, the paper money remedy failed. The bills of credit, as the script was called, always depreciated in value and in some cases fell to the zero-point. Neither Congress nor the State could transmute rags into gold and silver.

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During 1785 and 1786 hard times knocked at the door in all parts of the country. In Massachusetts the distress was unusual. Here taxes were high, money was scarce, and debts were pressing. The people called for paper money, but the legislature turned a deaf ear to their appeal. Then there was an outburst of popular wrath which showed itself in the form of violence and open warfare against the government. Daniel Shays, a former captain in the Continental army, assembled in 1786 a force of several hundred men and for six months defied the authority of the State of Massachusetts. At Springfield his band of malcontents intimidated the militia and forced the court to adjourn. State troops were sent against the insurgents, and they were put down. But they were not punished: even Shays himself was allowed to go free.

Violence in
Massachu-
setts

The effect of "Shays's Rebellion," as the uprising in Massachusetts was called, was to startle thoughtful men in all parts of the country. It brought out in clear light the painful truth that the country was drifting toward anarchy. "There are," said Washington, "combustibles in every State to which a spark might set fire." At the same time the "rebellion" made it plain that there was no government with strength sufficient to repress the rising tide of violence. An incident of the insurrection showed how small was the respect accorded to the Confederation and how insignificant was its power. When it was proposed in the legislature of Massachusetts to call upon Congress for help in putting down the rebels the measure was defeated, one of the arguments used to defeat it being that it was incompatible with the dignity of Massachusetts to allow United States troops to set foot upon her soil! Another incident showed how small was the respect which the government of the Confederation had for itself. While the rebellion was in progress Congress, seeing that it might be necessary to defend the United States arsenal at Springfield, raised a force of soldiers to be used for the defense of the arsenal. Yet these soldiers were recruited under the pretense that they were to be used in the West against

Drifting
Toward
Anarchy

the Indians. So timid was Congress and so little confidence did it have in its own power that it was afraid to let the public know that it intended to use force for the protection of its own property against violence!

Thus public affairs were in a deplorable state. Congress had sunk to such a condition of inefficiency and feebleness that it had lost the respect not only of foreign nations but of the American people as well. In the States lawlessness and violence were widespread, and at times the very existence of government was threatened. By 1786, accordingly, it seemed that the Union was on the verge of collapse and that the Americans' experiment in self-government was about to end in disastrous failure.

Suggested Readings

- Defects of the Confederation: Farrand, pp. 42-52.
Problems of organization: McLaughlin, pp. 35-52.
Paper money: McMaster, Vol. I, pp. 281-294; Dewey, pp. 36-44.
On the verge of anarchy: Gordy, Vol. I, pp. 56-63.
Navigation of the Mississippi: McMaster, Vol. I, pp. 371-383.
Need of power to regulate commerce: Gordy, Vol. I, pp. 37-63.
Survey of economic interests: Beard, pp. 19-52.
Economic crisis: Van Metre, pp. 164-187.

VII

THE WORK OF THE FATHERS

CENTRIFUGAL AND CENTRIPETAL FORCES

FAR-SIGHTED men like Washington, Madison, and Hamilton, viewing the approaching downfall of the Confederation with alarm, came forward with measures designed to strengthen the power of the central government and bind the States into a closer union. But the leaders had before them a difficult task. Powerful forces were at work to keep the States apart. For one thing, geographical conditions operated strongly as a centrifugal force. Long distances and imperfect means of communication made it impossible for the people of one State to know much about the lives and thoughts of the people of another. In these days of newspapers, railroads, telegraphs, and telephones the people of one State are constantly brought into close association with those of another, and frequently the interests of a man are so extensive that he may be said to live not in one State but in several. But it was not thus in the days of the Confederation, when men seldom passed beyond the boundaries of the States in which they lived. "Of the affairs of Georgia," wrote James Madison of Virginia in 1786, "I know as little as of those of Kamchatka." Where the isolation of the citizen was so complete it was extremely easy for him to fix his attention upon the affairs of his own State and to forget the affairs of the nation.

The
Isolation of
the Citizen

Then, too, the industrial interests of sections operated as a repellent rather than a cohesive force. The North had manufacturing interests which it desired to protect and foster. The South, on the other hand, having almost no manufactures at all, welcomed the importation of foreign goods free of customs duties. Since this was so, how could a central government enact a customs law which would be equally acceptable to all the ports along the Atlantic coast? It was easy enough for a single State to pass a satisfactory tariff law, but a national tariff would have to be accommodated to the various interests of different sections. The

Clashing of
Industrial
Interests

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New England States would want one thing, the Middle States something else, and the South something which neither of the other two sections desired.

Extreme Individualism

But the thing that was operating most powerfully against union was the fact that the people almost everywhere were opposed to a central government because they feared its power. They were such great lovers of liberty, were so enamored of the rights of individuals, that they were loath to bestow power upon any government whether local, State, or national. Indeed, many of them cherished an attitude of mind that was positively hostile to government. Thomas Jefferson voiced the sentiments of thousands of extreme individualists when he said: "The spirit of resistance to government is so valuable on certain occasions that I wish it always to be kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere."

A Gloomy
Prophecy

The decentralizing forces were so numerous and so powerful that the faint-hearted feared that a real union would never be effected. And there were prophets of evil who were sure that the country would never be united. "As to the future grandeur of America," said one observer, "and its being a rising empire under one head, whether republican or monarchical, it is one of the idlest and most visionary notions that ever was conceived by writers of romance. The mutual antipathies and clashing interests of the Americans, their differences of governments, habitudes, and manners, indicate that they will have no center of union and no common interest. They never can be united into one compact empire under any species of government whatever; a disunited people till the end of time, suspicious, and distrustful of each other, they will be divided and sub-divided into little commonwealths or principalities, according to natural boundaries, by great bays of the sea, and by vast rivers, lakes, and ridges of mountains."

Centripetal
Forces

But our pessimist did not see clear to the bottom, for there were centripetal as well as centrifugal forces at work. In the first place, race, religion, language, traditions, and a common culture acted as cohesive forces. Moreover, powerful economic influences were operating to hold the States together and to strengthen national ties. The shipping and manufacturing people had almost decided that Congress ought to have the power to regulate commerce in order that foreign countries might be prevented from discriminating

against American interests. The holders of public securities were beginning to wish for a strong national government that could pay its debts; and no wonder, for the government under the Articles was not even paying the interest on its debt, and its bonds were selling at less than one tenth of their face value. The enemies of paper money were turning to the idea of a central government that would have the power to prohibit paper issues.

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VII

Then there was the broad national domain beyond the mountains, the Northwest Territory. This belonged to the United States, and, if the States would only hold together, the countless acres of the vast heritage would be sold and the money received would pour into the treasury of the United States for the common benefit of all the people. Moreover, considerable money had been invested in western lands by speculators, but the investments had not yet become a source of profit, because the Confederation had not been able to govern the western country properly or to protect settlers from the Indians. The investors in western lands, therefore, saw that it was to their advantage to have a strong and more efficient national government.

The
Northwest
Territory

But the thing that did most to promote the cause of union was the impending danger of anarchy. Shays's Rebellion and kindred acts of lawlessness opened men's eyes and caused them to see the evils of disunion in their true light. Men saw that if the Confederation should reach the stage of complete dissolution and each State should become a sovereign and independent power, there would be scattered along the Atlantic coast thirteen little republics instead of one powerful nation. And what would follow? The interests of States would clash, there would be endless bickering and strife, and all the social and moral and intellectual advantages which flow from union would be lost. Moreover, it might easily happen that the country would become the prey of the foreign invader and be swallowed up piece by piece. Disunion, indeed, might mean that America would perish utterly. Apprehensions like these could operate only in favor of a closer union and a stronger central government.

The Fear of
the Results
of Disunion

Such were the forces of union and of disunion which were at work when Washington and other statesmen began in earnest their efforts to infuse more life and power into the national government. The movement to amend and strengthen the Articles began almost immediately after their adoption and continued from time to time

The
Movement
for
Strengthen-
ing the
Articles

in the years following, but every attempt of this kind ended in failure, because amendment required the consent of every State and complete unanimity could in no case be secured. In 1785, however, there was taken the first of a series of steps which rapidly led to a complete change in the form of the American government. Early in that year commissioners from Maryland and Virginia met at Washington's home at Mount Vernon to adjust some matters of interstate navigation. At this meeting Washington suggested that the two States ought to enter into an agreement for the regulation of interstate commerce in all particulars. The discussion following this suggestion showed that if there was to be any useful regulation of commerce between the States all the States must join. Accordingly, all the States were invited to appoint commissioners to meet in convention at Annapolis, in September, 1786, for the purpose of "taking into consideration the trade of the United States." When the time for the convention arrived only five States were represented. As this representation was considered too small for the accomplishment of the purpose for which the convention was called, the Annapolis meeting adjourned without taking decisive action. Before adjourning, however, it recommended that a convention of all the States be held at Philadelphia in May, 1787, "to take into consideration the situation of the United States and to devise such further provisions as shall appear necessary to render the constitution of the federal government adequate to the exigencies of the Union."

A Constitu-
tional
Convention
Called

Virginia and New Jersey responded immediately to this recommendation, and within a few weeks Pennsylvania, North Carolina, Delaware, and Georgia had also appointed delegates. Before the date fixed for the meeting all the States had agreed to send delegates to the proposed convention, except New Hampshire and Rhode Island. Later New Hampshire appointed delegates, but Rhode Island held to her refusal to take part. In the selection of delegates to the convention no popular election was held; the selection was made in each case by the State legislature. Congress, seeing the drift of affairs, resolved in February, 1787, that it was expedient that in May a convention be held at Philadelphia "for the sole and express purpose of revising the Articles of Confederation and to report such alterations as should render the federal constitution adequate to the exigencies of government and the

preservation of the Union." Surely the forces of centralization were now moving swiftly enough; two years of agitation by the friends of strong government had resulted in the calling of a national constitutional convention, the first body of its kind that the world had ever seen.

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BUILDING A "NEW ROOF"

The convention met in Philadelphia as provided in the resolution of Congress, and on May 25 an organization was effected. The meetings were held in the State-house. George Washington, one of the delegates from Virginia, was chosen as the presiding officer. At the outset two very important rules were agreed upon. First, the organization of the convention was to be on the basis of State representation: each State was to have one vote, regardless of its population; seven States were to constitute a quorum; and a majority of States present were to be competent to decide any question that might arise. Secondly, in order to protect the delegates from criticism and encourage freedom of discussion, it was decided that "nothing spoken in the House should be printed or otherwise published or communicated without leave"; that is, the sessions were to be strictly secret.

The
Organiza-
tion of the
Convention

The total number of delegates actually in attendance upon the convention was fifty-five, the membership of the several State delegations varying from two, as in the case of New Hampshire, to eight, as in the case of Pennsylvania. But since no State could cast more than one vote, the size of a delegation was a matter of no great importance. In selecting delegates every State took pains to choose good men: most of the States sent their very best. The result was a body of commanding ability. In the convention were the leaders who were at the forefront of American affairs: George Washington, Benjamin Franklin, James Madison, Alexander Hamilton, Rufus King, William Paterson, James Wilson, Gouverneur Morris, Oliver Ellsworth, John Dickinson.

A Body of
Command-
ing Ability

Many of these men had economic interests which had been adversely affected under the Articles of Confederation and which were promoted by the action of the convention. "The members of the Philadelphia Convention which drafted the Constitution," says Dr. Charles A. Beard, "were, with a few exceptions, immediately,

The
Economic
Interests
of the
Members

directly, and personally interested in, and derived economic advantages from the establishment of the new system."¹ In support of this statement it is shown that more than twenty of the members, including King, the Pinckneys, and Washington, held considerable amounts of public securities; that an equal number, including Carroll, Dickinson, Ellsworth, and Mason, had outstanding loans of money at interest; that more than a dozen, including Franklin, Gerry, and Hamilton, were interested in the stocks of land companies. Since the classes of personalty held by these members were well cared for by the convention, the conclusion is drawn that the Constitution was an "economic document."

Whatever importance this conclusion may have for a philosophy of history, it is worth while to observe that this "economic interpretation," with all its microscopic researches into the pecuniary affairs of the members of the convention, has resulted in bringing no discredit upon the personnel of that illustrious body. Not even by implication has it been intimated that there was in the convention a single man who was guilty of any kind of speculation or was capable of placing his private interest above what he believed was the nation's good. The men of the convention were not self-seekers bent upon the accomplishment of sinister and purely selfish purposes. They were high-minded patriotic Americans capable of conceiving their own interests in terms of the interest of the nation.

Although the convention was called for the sole purpose of revising the Articles of Confederation it was soon seen that mere revision would be patchwork that would bring no relief. Accordingly it was decided that a new constitution was necessary; that an entirely new government would have to be organized and endowed with new powers. In form the structure proposed was to be federal; it was to be sovereign in respect to those matters which concerned the whole body of American people, while at the same time each separate State was to be sovereign in respect to those matters which concerned only itself. As far, therefore, as mere form was concerned the proposed government did not differ widely from the one established by the Articles. But the method of exercising the power of the new government was to differ widely indeed from the method by which the Confederation exercised its powers. Under the Articles the central government could deal only with

¹ An Economic Interpretation of the Constitution of the United States"; p. 324.



AMERICA'S FIRST NATIONAL CAPITOL

the States, and over a State it could exert no real power, for it had no means of compelling obedience. But the proposed Federal government was to pass entirely over the head of the State and deal with individuals; it was to reach the citizen directly, make laws for him, try him in Federal courts, conscript him for Federal armies, and punish him if found guilty of violating Federal laws. In agreeing that the new government should have substantial power and should act directly upon individuals the men of the convention took a bold step, but it was one that had to be taken if the Union was to be preserved.

What was to be the organization of this Federal government? As practical statesmen the men of the convention knew that if their work was to be successful they must plan for a central government that would resemble as nearly as possible the government which the people knew most about; that is, the government of the State. Accordingly it was decided that the State government should be taken as the pattern for the new Federal organization, and that the proposed government should have a legislative, an executive, and a judicial branch. Furthermore, it was agreed that the legislative branch should consist of an upper and a lower chamber, to be known as the Senate and the House of Representatives. This decision was easily reached, for Americans were attached to the bicameral plan. An anecdote related of Washington has been used to show the advantage of a legislature of more than one branch: Jefferson once, while taking breakfast with Washington, was protesting against the establishment of two houses on the ground that the system was clumsy and mischievous. Washington defended the American plan. "You yourself," he said, "have proved the excellence of two houses this very moment." "I?" said Jefferson. "How is that, General?" "Why did you pour that coffee into your saucer?" asked Washington. "To cool it," replied Jefferson. "Even so," said Washington, "we pour legislation into the Senatorial saucer to cool it."

How were the States to be represented in the new Congress? Should they be represented as they had been under the confederation—one State, one vote? Should they be represented according to wealth? Or according to population? Some of the members wanted representation in the legislature to be based upon wealth, but the advocates of plutocracy were put to rout by the democratic forces of the convention. "Is a man," said one of the members

speaking against a property qualification, "with four thousand pounds to have forty times as many votes as a man with a hundred pounds?" Several large States led by Virginia wanted representation according to population, while several small States led by New Jersey contended that the rule in the case of the new Congress ought to be the same as it was under the Confederation; that is, one State, one vote. Here was a struggle between what may be called the national principle and the Federal principle. Virginia and her followers were virtually insisting that the United States *was* one homogeneous political society consisting of thirteen sections or geographical districts called States, and that each of these States should have a weight in the Federal Congress proportioned to its population. If the plan proposed by these large States had been adopted there would have been, properly speaking, no Federal government at all, but a strictly national government, a centralized, unitary State. New Jersey and her followers, on the other hand, were insisting that the United States *were* thirteen different political societies, each the judge of its own political competency, each an equal of the other, and that this equality should be recognized by giving each State the same weight in the legislature. If the small State plan had prevailed we should have had a strictly federal government, it is true, but not one that would have been compelled to respond to the national will.

The debate upon the Virginia and the New Jersey plans continued without prospect of agreement, and once it seemed that the question of representation would split the convention wide open. In good time, however, a compromise plan was brought forward. It was proposed that each State, regardless of its population, be represented in the Senate by two Senators, and in the House of Representatives by a number of members proportioned to its population. This compromise was supported by the aged Franklin. "When a broad table is to be made," he said in his homely wisdom, "and the edges of the planks do not fit, the artist takes a little from both and makes a good joint." The compromise plan was agreed to: the new Congress was to be federal in the Senate and national in the House of Representatives.

When it was proposed to give to each State a number of Representatives proportional to its population the question of enumeration arose. Should every human being, whether black or white, slave or free, count one? The Congress of the Confederation, when

apportioning taxes to the several States on a basis of population, had adopted the plan of counting three fifths of the slaves. This ratio was adopted by the convention for the apportionment of Representatives; it was agreed that five slaves were to be counted as three persons. The number of Representatives that each State was to have until a census could be taken was fixed by the Constitution as follows: New Hampshire, three; Massachusetts, eight; Rhode Island, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; Georgia, three. It will be observed that although Rhode Island was not represented in the convention it was assumed by the framers that she would remain within the pale of the Union.

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VII

While the organization of the legislative branch was being debated the convention was also considering plans for an executive branch. A fatal weakness of the Union under the Articles of Confederation was the absence of an executive to enforce the laws. The convention soon decided to remedy this defect by establishing a strong executive department and vesting its powers in a single person to be styled the President of the United States. How was this officer to be elected? This question gave rise to a vast amount of discussion and plans of many sorts were proposed. Election by a popular vote was recommended, but was rejected as being too democratic. It was not believed that the people had sufficient intelligence to vote for a President. "To refer the choice," said George Mason, a member of the convention, "of a proper character for a chief magistrate to the people would be as unnatural as to refer a trial of colors to a blind man." Some wanted the President to be elected by Congress, but it was objected that this would keep the executive in a state of dependence upon the legislature, and it was highly important that these two branches should always be independent of each other. Another plan was that of indirect election; that the President be chosen by State colleges of electors, the electoral college of each State to have a number of electors equal to the combined number of Senators and Representatives to which the State should be entitled. In the end the plan of electoral colleges was adopted, not because it was entirely acceptable to the members, but because the convention did not wish to be further vexed by a fruitless and interminable debate.

The
Executive
Branch

CHAP.
VIIThe
Judicial
Branch

The machinery of the new government was completed by establishing a Federal judiciary which was to be vested with the judicial power of the United States. There was need for a Federal judiciary, for under the Articles of Confederation the judicial power of the central government was a mere shadow. At the head of the judicial department there was to be a Supreme Court, and below this there were to be such inferior courts as Congress might from time to time establish. The appointment of the Federal judges was given to the President, but it was provided that they should hold their office during good behavior, that they should not be removed except by the process of impeachment, and that the salary of a Federal judge should not be decreased, although it might be increased if Congress so desired.

The Powers
of the New
Govern-
ment

Such was the organization of the proposed government. What were its powers? The Convention gave the Federal Government absolute control in the following matters: war, peace, treaties, alliances, ambassadors, postal affairs, the army and navy, foreign commerce, interstate commerce, naturalization, coinage of money, Indian affairs, bankruptcy, patents, copyrights, Territories, letters of marque and reprisal. The new Government was also given important concurrent powers—powers belonging to both the State and the nation—relating to the following matters: taxation, public debt, citizenship, suffrage, elections, militia, treason, eminent domain. Certain powers were expressly denied to the Federal Government. Congress was forbidden to pass any law prohibiting the foreign slave-trade before the year 1808; it was denied the privilege of suspending the writ of habeas corpus unless the public safety should require it; it could lay no tax on exports; it could give no preference to the ports of one State over those of another; it could grant no title of nobility nor accept any present of any kind from any king or prince. The framers saw that certain limitations upon the power of the States would also be wholesome. Accordingly they provided that no State should coin money, emit bills of credit, make anything but gold or silver coin a tender in payment of debts, or pass any law impairing the obligation of contracts. Moreover, no State without the consent of Congress, was to lay duties on imports or exports or impose tonnage duties.

Two Powers
of Trans-
cendent
Importance

When this scheme is closely examined it is found that many of the legislative powers proposed for the new government were identical with those which were already being exercised by the

Congress of the Confederation.¹ But in the scheme there were two additional powers of transcendent importance. One of these related to commerce, the other to taxation. The men of the convention realized that it was largely owing to unsatisfactory trade relations that they had been called together, and they felt that they must deal with the subject of commerce with a firm hand. They gave to Congress complete power to regulate commerce between the States, with foreign nations, and with Indian tribes. Within its borders a State could still regulate trade in its own way, but goods or passengers on their way from one State to another or passing between a State and a foreign country were placed under the regulation of the Federal Government. The subject of taxation was dealt with in an equally firm manner. Recognizing that revenue is the life-blood of government and that the ills of the Confederation were due chiefly to a lack of revenue, the framers proposed that the Federal Government be given an almost unlimited power to tax. They restricted the power in only three particulars: (1) duties and excises must be uniform throughout the United States; (2) direct and capitation taxes must be apportioned among the States according to population; (3) duties could not be laid on articles exported from any State. Except only as limited by these three provisions, Congress was to be free to levy any tax it might see fit for any amount it might desire.

Within the sphere of its powers the authority of the proposed government was to be complete and undisputed. All lawmakers, both State and national, and all executive and judicial officers, both of the United States and of the several States, were to be bound by oath to support the proposed Constitution: while the Constitution itself, the laws of Congress, and all treaties made under the authority of the United States were to be the *supreme law of the land*; and judges in every State were to be bound thereby, no matter what the State constitution or the State laws might be. Here was the most important provision of the new scheme of government. "This clause," says A. C. McLaughlin, "may be called the central clause of the Constitution, because without it the whole system would be unwieldy and impracticable. Draw out this particular bolt, and the machinery falls to pieces. In these words the Constitution is plainly made not merely a declaration, a manifesto, depending for its life and usefulness on

The
"Supreme
Law of the
Land"

¹ See p. 113.

the passing will of statesmen or of people, but a fundamental law, enforceable like any other law in courts."

The framers spared no pains to make their work complete, but they knew that the proposed Constitution had defects which time would bring to light. Provision, therefore, was made for amendments. But the framers avoided the rigidity of the Articles under which one State could block any proposed amendment, and planned for an easier method. They decided that Congress might at any time, by a two thirds vote in both houses, propose amendments to the Constitution, or, on the application of the legislatures of two thirds of the States, might call a convention for proposing amendments. Such amendments should become part of the Constitution as soon as ratified by three fourths of the States, either through their legislatures or through special conventions summoned for the purpose.

After four months of severe toil in a scorching summer, the labors of the convention were completed. When the Constitution was given its final form it was signed by all the delegates present except Mason, Randolph, and Gerry, who withheld their signatures. While the last members were signing it, Franklin, looking toward the president's chair at the back of which a rising sun happened to be painted, made the picture the text for a prophecy. "Painters," he said, "have found it difficult to distinguish in their art a rising from a setting sun. I have often in the course of this session and the vicissitudes of my hopes and fears as to its issue, looked at that behind the president without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising and not a setting sun."

THE RATIFICATION OF THE CONSTITUTION

The draft of the Constitution finished by the convention in September, 1787, was promptly submitted to the Congress of the Confederation which was then holding its sessions in New York. In less than a fortnight Congress resolved that the proposed Constitution "be transmitted to the several legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof in conformity to the resolves of the convention." This was heroic action, for by helping to carry forward the plans for a new Constitution Congress was taking steps to terminate its

own existence. And it was revolutionary action, for if nine States should ratify the work of the convention, such ratification was to be sufficient for the establishment under the Constitution of a government for those nine States; whereas, under the Articles of Confederation, the Union was to consist of thirteen States and no change could be made in its structure without the consent of every State. "The scheme," says Edward Channing, "was most revolutionary, because it proposed that nine of the existing thirteen States agreeing to it should secede from the existing federal union, establish a new government for themselves, and leave the other States to shift for themselves as well as they might."

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VII

The question of ratifying the Constitution gave rise to a most spirited contest and one that marked the first division of men into political parties on a truly national issue. For in every State from New Hampshire to Georgia there was a group that supported the proposed Constitution and was known as Federalists, and an antagonistic group known as Anti-Federalists. The Federalists for the most part were conservatives. They lived in the towns and cities along the seaboard and belonged to the commercial classes. What the Federalists wanted was stability of government and a strict observance of public obligations. "They were," said John Marshall, "the uniform friends of a regular administration of justice and a vigorous course of taxation, which could enable the State to comply with its engagements. By a natural association of ideas they were also, with very few exceptions, in favor of enlarging the power of the Federal government." The Anti-Federalists for the most part were radicals who cherished extreme individualistic notions, cared nothing about the strength of government, and were not very deeply concerned about its good faith. "They were uniformly," to quote Marshall again, "in favor of relaxing the administration of justice, of affording facilities for the payment of debts, or of suspending their collection, and of remitting taxes. The same course of opinion led them to resist every attempt to transfer from their own hands into those of Congress powers which by others were deemed essential to the preservation of the Union." These enemies of the proposed Constitution were found in every section of the country, but they were strongest in the farming districts and in newly settled regions remote from the coast.

Federalists
and Anti-
Federalists

CHAP.
VIIFive States
Ratify
Promptly

The first victory for the Federalists was won in Delaware where the Constitution was ratified in December, 1787, by a convention in which the vote for the Constitution was unanimous. The first real contest was in Pennsylvania, where party strife between the conservatives and radicals was extremely bitter. The Anti-Federalists in the Keystone State were probably in the majority, but the friends of the Constitution by resorting to sharp practice succeeded in calling a convention before their opponents could organize their forces. The proceedings of the convention were long and stormy, but at last, on December 12, the Constitution was ratified by a vote of forty-six to twenty-three. Six days later New Jersey ratified, and before the end of January, 1788, Georgia and Connecticut had given their consent.

Massachu-
setts

Five States had now voted to live under the "New Roof," as the proposed Constitution was often called. But the assent of Massachusetts, Virginia, and New York had not yet been given, and if any one of these States should refuse to ratify there was little hope for the Constitution. In Massachusetts there was fierce opposition to ratification: the chief objection being that the Constitution did not contain a bill of rights guaranteeing religious liberty, freedom of speech, freedom of the press, and other fundamental rights of American citizenship. In order to meet these objections the Federalists proposed that the Constitution be ratified and that the ratification be accompanied with a request for a bill of rights in the form of amendments. This plan was suggested by Washington, and his advice carried great weight in Massachusetts, as it did in every State. After nearly a month of animated and serious discussion the Massachusetts convention, in February, decided for ratification, the vote being 187 for and 168 against. In April Maryland ratified by a vote of sixty-three to eleven, and in May South Carolina fell into line by a vote of 149 for and seventy-three against.

Virginia

As eight States had now ratified the Constitution, the consent of only one more was needed. The contest for the ninth State was begun in Virginia. Here the struggle in the convention between the Federalists and Anti-Federalists was prolonged and exciting. The Anti-Federalists were led by Patrick Henry, who brought all the power of his eloquence to bear against ratification. Henry's chief objection to the Constitution was that it provided for a consolidated national government. "That this is a consolidated gov-

ernment is to my mind very striking. States are the characteristics and the soul of a confederation. If the States be not the agents of this compact it must be one great consolidated national government of the people of all the States." To this, James Madison, who was the leader of the Federalists, replied that the new government was neither a mere confederation nor a thoroughly national government. "It stands," he said, "by itself. In some respects it is a government of a federal nature, in others it is of a consolidated nature." The followers of Madison outnumbered those of Henry, for on June 25 a vote was taken and the Constitution was ratified by a vote of eighty-nine to seventy-nine. With the ratification there was a request that the new Constitution be amended by adding a bill of rights, a request similar to the one made by Massachusetts. Four days before the Virginia convention took action New Hampshire gave its assent to the new government and thus won the distinction of being the ninth State to ratify the Constitution.

There were now States enough and one to spare. But New York had not yet sought shelter under the "New Roof." Since the Union would have been a thing cut in twain without New York, there were those who contended that this State ought not to be allowed to remain out—that if it did not come in of its own accord it would have to be dragged in by force. To win the vote of New York was not easy. The contest was violent and there was some shedding of blood. Alexander Hamilton and John Jay led the Federalists. Hamilton, assisted by Jay and Madison, contributed to the newspapers a series of essays defending and expounding the Constitution. These essays were brought together in a volume called "the Federalist," a book which to this day is regarded as the best commentary upon the elemental principles of the American government that has been written. Largely through the efforts of Hamilton New York was at last brought under the "New Roof," for in July, 1788, the convention ratified the Constitution by the close vote of thirty to twenty-seven.

All the States had now accepted the Constitution except Rhode Island and North Carolina. Rhode Island refused outright to ratify; North Carolina held aloof until certain amendments should be adopted. But these two States were not allowed to thwart the wishes of the other eleven. For as soon as it was certain that a sufficient number of States had ratified, preparations were made

for the installation of the new government. In the work of changing from the old order of things to the new the Congress of the Confederation performed its part in a prompt and faithful manner. In September, 1788, it resolved: "That the first Wednesday in January next be the day for appointing electors in the several States which shall have ratified the Constitution; that the first Wednesday in February next be the day for the electors to assemble in their respective States and vote for a President and Vice-President; and that the first Wednesday in March next be the time, and the present seat of Congress [New York] be the place, for commencing proceedings under the new Constitution." Thus the old government of the Confederation announced its own demise and prepared the way for its successor.

Suggested Readings

Members of the convention: McMaster, Vol. I, pp. 419-423.

Convention and its members: Farrand, pp. 14-42.

Economic interests of the members of the convention: Beard, pp. 73-151.

Process of ratification: Beard, pp. 217-239.

Great Compromise: Farrand, pp. 91-113.

Completed Constitution: Farrand, pp. 196-210.

Law of the land: McLaughlin, pp. 236-252.

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SETTING THE NEW GOVERNMENT IN MOTION

THE NEW PRESIDENT

IN accordance with the resolution of the old Congress, presidential electors were chosen in January, 1789. In February the electoral colleges expressed their choice for President and Vice-President. It was planned that the new Congress should meet in New York on March 4 and count the electoral vote, as provided by the Constitution, but a lack of interest on the part of members, bad roads, and long distances prevented a prompt meeting. On the day fixed only eight Senators and thirteen Representatives were in the city. By April 6, however, a quorum of the newly-elected Congress was present and ready for the transaction of business. The electoral vote having been counted it was found that every elector had cast a vote for George Washington and that John Adams of Massachusetts stood second on the list. Washington was thereupon declared to be elected President and Adams Vice-President.

The
Election
and Inaugu-
ration of
Washington

At the time of his election Washington was in retreat on his estate at Mount Vernon, cherishing hopes that his remaining days would be passed in tranquillity and peace. But these hopes were shattered by the action of the electors. When he heard of his election to the Presidency he was constrained by a sense of duty to accept the high office. He bade farewell to his friends and neighbors and started to New York. His journey northward was a triumphal march. "In every village the people from the farms and workshops crowded the streets to watch his carriage, and the ringing of bells and the firing of guns marked his coming and going. At Baltimore, a cavalcade of citizens escorted him and cannon roared a welcome. At Chester, he mounted a horse, and, in the midst of a troop of cavalry, rode into Philadelphia beneath triumphal arches." At Trenton young girls walking before him strewed flowers in his path and sang songs of praise and gratitude. When the President arrived at New York, he found that April 30

had been fixed as the date for his inauguration. Accordingly on that day he headed a long procession of soldiers and citizens which marched to the building where the Congress was in session. Standing on a balcony in the presence of a throng of people, he took the oath of office. Thus the history of the United States under the Constitution began.

So great was the popularity of the first President that the people seemed to lean upon him in implicit, loving reliance; and their confidence was wholly deserved. No other man in America was endowed with qualities of statesmanship higher than those possessed by Washington. He was tolerant, far-seeing, charitable, judicious, patient, firm. Jefferson says of him: "Perhaps the strongest feature in his character was prudence, never acting until every circumstance, every consideration was maturely weighed; refraining if he saw a doubt, but, when once decided, going through with his purpose, whatever obstacle opposed. His integrity was most pure, his justice the most inflexible I have ever known, no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, in every sense of the word, a wise, a just, and a great man. His temper was naturally irritable and high-toned; but reflection and resolution had obtained a firm and habitual ascendancy over it. If, however, it broke its bounds, he was most tremendous in his wrath. His heart was not warm in its affections; but he calculated every man's value and gave him a solid esteem proportional to it. His person was fine, his stature exactly what one would wish, his deportment easy, erect, and noble. It may be truly said that never did nature and fortune combine more perfectly to make a man great and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance."

THE NEW ORGANIZATION

It was well that such a man was at the head of affairs, for the work to be done required ability of the highest order. The new government had to be built up from the very foundation. The general government under the Articles of Confederation had nothing which was worthy of being called an organization. Altogether there were in the old government only fifteen or twenty employees who were available for service in the new. There was a

bureau of foreign affairs, which was little else than a letter-writing department. There was a treasury board composed of three members, but the treasury itself was empty. There was a war bureau, but there were not enough soldiers to form one small regiment. So there was truth as well as wit in the remark that at the time of Washington's inauguration the Government consisted of himself and a roll of parchment.

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The Constitution made it the duty of Congress to provide an effective organization for the new Government. In order to do their work in a thorough manner the lawmakers elevated the existing bureaus to the rank of distinct executive departments and equipped them for an efficient performance of their constitutional functions. Three great executive departments were speedily created. There was a department of foreign affairs, to be known as the Department of State; a Department of War; and a Treasury Department. At the head of each department was placed an officer known as the secretary. Congress was also prompt in organizing a new Federal judicial system. In September, 1789, it passed the celebrated Judiciary Act, which provided that the Supreme Court should consist of a chief justice and five associate justices. The same law provided that the inferior tribunals of the Federal system should consist of four circuit and thirteen district courts. Thus the executive and the judicial branches were supplied with the needful organs.

Organiza-
tion

In making appointments to the newly-created offices, the President could act without regard to party affiliations; for no sooner was the Constitution adopted than the line which separated Federalists from Anti-Federalists became blurred and indistinct, and it could no longer be said that the two parties had any real existence. For secretary of state—as the head of the department of foreign affairs was called—Washington selected Thomas Jefferson, a man as well fitted for the place by character and by experience as any that could be found in America. For secretary of the treasury—as the head of the department of finance was called—he chose Alexander Hamilton, who had been his military secretary during the Revolution. Hamilton was only thirty-two years of age, yet his great abilities had already won for him a foremost place among public men. For his secretary of war the President appointed General Henry Knox, who had held a similar office under the Confederation. The task of Knox was light, for the army

which he had to manage numbered less than a thousand men. As the law officer of the new government Edmund Randolph of Virginia was selected. Randolph's title was attorney-general, but he did not rank with the secretaries as the head of a department, as the Department of Justice had not yet been established. The first chief justice of the Supreme Court was John Jay of New York. Within a few months after their appointment these men were at their posts and the new Constitution was breathing with life.

The personnel of the first administration was the most distinguished in our history. In all the succeeding administrations there has not been one that could boast of three such illustrious names as George Washington, Thomas Jefferson, and Alexander Hamilton. Throughout the formative period of our national life Jefferson stood second only to Washington in power and influence. After the death of Washington the will and words of Jefferson were for more than a quarter of a century supreme in American affairs, and after he passed away his spirit lived on and millions of men continued to regard him as the greatest prophet of democracy and expounder of human rights that the world has produced. By the side of Jefferson worked Hamilton, a man who in constructive ability and in fertility of ideas and expedients was the outstanding figure of his time. It was upon Hamilton that Washington relied for counsel. "The two men," says J. P. Gordy, "were almost perfectly fitted to work together. Each supplemented the defects of the other. Washington's mind worked slowly, but his conclusions once reached were remarkable for their soundness. Hamilton's mind was marvelously quick, but his judgment was in danger of being carried away by the ardor of his temperament and the strength of his preconceptions. . . . Upon a temper less firm than Washington's, Hamilton's ardor might have exercised undue influence; but upon the self-poised character of Washington it spent its force as vainly as the waves of the Mediterranean upon the rocks of Gibraltar."

REVENUES AND EXPENDITURES

Even before Washington was inaugurated Congress began to consider methods of raising money to carry on the operations of the new Government. It was necessary to act promptly, for the old Confederation had ended its days in an absolutely penniless

condition. Early in April, 1789, James Madison, who had been elected a representative from Virginia, came forward with a plan for laying a tariff on foreign imports. Upon what principle should the new tariff law be framed? Should the duties be levied simply with the view of raising a revenue or should they be fixed with the view of protecting home manufactures from competition with foreign goods? Thus at the outset Congress was brought face to face with a question which has never ceased to hold an uppermost place in American politics.

Madison found that the interests of the different regions of the country were so diverse that it was almost impossible to secure the passage of his tariff bill. Manufacturing was recovering from the low state in which it had been left by the Revolution,¹ and there was in Congress a demand that a stimulus be given to American industries by adopting a protective tariff. But here there was trouble. Pennsylvania, which had iron and steel industries, wanted protective duties on nails and other forms of manufactured iron. South Carolina had no iron mills to protect, but she suggested a duty on hemp. The New Englanders and the South Carolinians were united in opposing the duties on iron that the Pennsylvanians asked for, because these duties would increase the cost of ship-building in the North and of agricultural instruments in both sections. The New Englanders and Pennsylvanians had no desire for any duty on hemp, for that would increase the cost of rigging for their ships. After a long debate a bill was passed on July 4, 1789, which in some of its features recognized the protective principle. The law itself bore the subtitle, "An Act for the Encouragement and Protection of Manufactures." Nevertheless, this first revenue law was in the main a revenue rather than a protective measure. It laid moderate duties on tea, coffee, molasses, wines, spirits, glass, and tin. The average rate of the duties was only 8 per cent, the lowest scale ever imposed by Congress in a general tariff act.

The first Congress had to deal with expenditures as well as with revenues. Salaries had to be fixed and appropriations made. It was necessary to fix salaries without delay, for the new officials were meeting their personal expenses out of their own pockets, and some of the members of Congress confessed that they were well-nigh reduced to borrowing from their friends. For members of Congress

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VIIIThe First
Tariff

Salaries

¹ See p. 97.

it was agreed that a per diem of six dollars should be allowed, with mileage according to the distances traveled in reaching the seat of government. Double pay was granted the speaker of the House. The salaries fixed for the other leading officers were as follows: for the President, \$25,000; for the Vice-President, \$5000; for the chief justice, \$4000; for each of the secretaries, \$3500. There was in some quarters an outcry against these salaries on the ground that they were excessively high. As a matter of fact, however, they were in nearly every instance insufficient for current living expenses. Washington in his inaugural address said that he wished no salary, but expressed a desire that his expenses be paid. But as the Constitution implied that he must have a salary, Congress voted him one. The sum granted was by no means too large, for Washington used every cent of the \$25,000. The total sum appropriated for salaries and for the expenses of all the departments of the new Government for the first year was about \$700,000, a sum smaller than that allotted in these days to some insignificant bureau.

AMENDMENTS: NORTH CAROLINA AND RHODE ISLAND

It will be remembered that several States, when they ratified the Constitution, expressed a desire that it be amended in certain particulars. In accordance with pledges that had been made, and in compliance with public sentiment, Madison early took up the subject of proposing new amendments to the States for ratification. Nearly eighty amendments were considered, but only twelve received the requisite two thirds vote of both branches of Congress. Of the proposed amendments ten were promptly ratified by a sufficient number of States and became a part of the fundamental law. The first eight of these amendments bear a strong resemblance to the bill of rights of a State constitution. They deny to Congress the power of making laws interfering with religious freedom, or abridging the freedom of the press or the right of petition; and they guarantee the citizen against arbitrary arrest and against unreasonable search or seizure; they assert in positive terms the right of trial by jury; they forbid excessive bail, excessive fines, and excessive imprisonment. The ninth and tenth amendments are declarative of the reserved powers of the people and of the States in all matters which lie outside of the enumerated powers granted to the Federal Government by the Constitution. "Amendments



From the painting by John Trumbull

Alexander Hamilton

like these," says Schouler, "were worth accepting. Many of them had already been incorporated into the fundamental instruments of the several States. They rendered the Constitution its own expounder. Nor were the rights themselves so sacred in the eye of sovereign authority that our good citizens did not remember what it was to be despoiled of them. It would now be clearer that powers were withheld which the people never meant to grant. A good maxim inscribed above the judgment-seat may prevent many a bloody crime."¹

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Now that the Constitution had a bill of rights, North Carolina, which had postponed ratification of the Constitution until the adoption of the restrictive articles should be secured, was ready to enter the Union. Accordingly in November, 1789, she became a member of the young federal republic. Rhode Island also was gratified by the adoption of the ten amendments, but for a while she still held aloof. It was impossible, however, that the little community should permanently remain foreign territory. In the spring of 1790 Congress was threatening to pass a bill cutting Rhode Island off from the privileges of trade, and the threat caused her to realize the true nature of her situation. Accordingly, in May, 1790, Rhode Island ratified the Constitution. "Thus all the original thirteen that had fought side by side in the great struggle for independence were at length brought safely under the protection of the great federal state, which had sprung up out of the blood which their sons had shed."

North
Carolina;
Rhode
Island

HAMILTON'S FINANCIAL MEASURES

Promptly after taking his place as secretary of the treasury Hamilton came forward with plans for meeting the public debt and restoring the lost credit of the United States. The main purposes of his policy were stated as follows: "To justify and preserve the confidence of the most enlightened friends of good government; to promote the increasing respectability of the American name; to answer the calls of justice; to restore landed property to its true value; to furnish new resources both to agriculture and commerce; to cement more closely the union of the States; to add to their security against foreign attacks; to establish public order on the basis of an upright and liberal policy: these are the great and

Hamilton's
Financial
Policy

¹ James Schouler, "History of the United States"; Vol. I, p. 114.

invaluable ends to be secured by a proper and adequate provision at the present period for the support of the public credit." There was a foreign debt of \$12,000,000, a domestic debt of \$42,000,000, and a war debt contracted by the several States of \$21,000,000. This total debt of \$75,000,000 to the minds of most people was formidable indeed, but it had no terrors for Hamilton, who regarded a national debt as "a national blessing, a powerful cement for union, a necessity for keeping up taxation, and a spur to industry." He proposed to pay the foreign and domestic debt in full, principal and interest, and to assume the war debts of the several States as well. There was no objection to paying the foreign debt in full, but in respect to full payment of the domestic debt Congress had some misgivings. It was pointed out that many of the original holders of the certificates of indebtedness had sold their securities, either through necessity or through a lack of confidence in the Government, at a price far below their face value, and that the certificates had passed into the hands of speculators. When it was asked, "Should these speculators receive face value for certificates which in many instances had been bought for a song?" Hamilton's answer was that the Government had promised to pay the original holders of the certificates, or their *assignees*, the face value of the debt, and that the Government should keep its promise. This view in the end prevailed; all holders of the old obligations of the Confederation were permitted to exchange their certificates at face value for new bonds.

Assumption

The opposition to the funding of the domestic debt of the Confederation was mild compared to that which was directed against the proposed assumption of the State debts. To pay off the debts of a State, it was said, with money raised by national taxation would saddle upon the States that had small debts more than their just proportion of the obligation. The argument against assumption was urged with such force and the scheme was fought so bitterly that it barely escaped rejection by Congress. Hamilton, however, contrived to couple the question of assumption with another question, namely the location of the new Federal city, or national capital, for which provision had been made in the Constitution. Many of the Southern members of Congress wished the new seat of government to be located on the Potomac, while the Northern members were in favor of a place further north. Hamilton, taking advantage of this disagreement, asked Jefferson to use

his influence with some of the Southern members to induce them to cast their votes in favor of assumption in consideration of certain Northern votes that could be secured for the location of the capital on the Potomac. Jefferson acceded to Hamilton's wishes and a bargain was struck: the capital was to be removed to Philadelphia, where it was to remain ten years and then permanently located on the Potomac, and the State debts were to be assumed. The agreement was faithfully kept. Before Congress adjourned it made provision for locating the new capital on the banks of the Potomac, and it authorized the assumption of the war debts of the States.

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Hamilton could now proceed with the execution of his plans. All that was necessary was to open new loans and take the old certificates and evidences of indebtedness in payment of the subscription. When the speculators heard of Hamilton's victory they bestirred themselves to secure certificates wherever they could be found. "Couriers and relay-horses by land," Jefferson tells us, "and swift-sailing pilot-boats by sea were flying in all directions. Active partners and agents were associated and employed in every State, town, and county, and the paper bought up at five shillings and even as low as two shillings in the pound, before the holders knew that Congress had already provided for its redemption at par!"

But Hamilton's financial policy included more than the funding of the debt. It was his long-cherished notion that the United States ought to have a national bank resembling in great measure the Bank of England. Accordingly, when the funding scheme was safely through Congress, he brought forward a plan for establishing a bank in which the new Government should have a direct interest. At the time there were but three banks in the entire country, one at Boston, one at New York, and one at Philadelphia. But these were all State banks operating under State authority. Hamilton desired a national bank which should be operated under Federal authority. The bank was to act as the fiscal agent of the National Government; it was to lend money to the Government when borrowing should be necessary; and it was to be a safe depository for the Government's funds. A bill embodying Hamilton's plan for such a bank gave rise to a long and bitter debate in Congress but was finally passed.

A National
Bank

When the bill came to the President he asked the opinions of Jefferson and Hamilton as to the constitutionality of the measure, for Washington was not sure that the Constitution gave the Federal Government power to establish banks. Jefferson's opinion was that the Constitution gave no such power. It was not an enumerated power, nor was it one that could be inferred from the general clause which provides that Congress shall have power to make all laws necessary for carrying into effect the enumerated powers; because there was not a single enumerated power which could not be exercised without a bank. Hamilton, on the other hand, contended that the bank would prove to be a most useful instrument in conducting the work of the Government, and because it would be useful it could be lawfully established even though the Constitution said nothing about banks. "There is," he said, "a natural and obvious relation between the institution of a bank and the objects of several of the enumerated powers of government, such as collecting taxes and borrowing money, and where such an obvious relation exists there is an implication of power: where a power to do a thing is enumerated there arises an *implied* power for doing the thing in the fittest manner." Hamilton's reasoning convinced Washington, and the bill became a law in February, 1791.

The bank—known as the First Bank of the United States—was chartered for twenty years with a capital stock of \$10,000,000. The Government took \$2,000,000 of the stock, thereby becoming an active partner in the banking business. The enterprise was in every way successful. When the books were opened in Philadelphia for the sale of stock all the shares were taken within an hour. The notes of the bank were everywhere received at their face value. Its stock paid a dividend of 8 per cent. and sometimes sold at a premium as high as 50 per cent. And the bank rendered important services to the Government. It furnished easy and safe means of dealing with the public moneys, and it offered valuable facilities for the transaction of public business. Yet notwithstanding its great usefulness the bank had many enemies. When its charter expired in 1811, its friends were unable to secure a renewal, and the First Bank of the United States passed out of existence.

Another financial measure suggested by Hamilton related to the establishment of a mint. In a report submitted to Congress he advocated a decimal system of coinage and a bimetallic currency.

Acting upon this report, Congress in 1792 established a mint and enacted a coinage law which provided "that it shall be lawful for any person or persons to bring to said mint gold or silver bullion in order to their being coined . . . free of expense to the person or persons by whom the same shall have been brought. And as soon as the said bullion shall have been coined the person or persons by whom the same shall have been delivered shall upon demand receive in lieu thereof coins of the same species of bullion which shall have been so delivered, weight for weight, of pure gold or silver therein contained. All gold and silver coins which shall have been struck and issued from said mint shall be a lawful tender in all payments whatsoever." The relation which was to exist between the value of gold and silver was stated in these words: "Every fifteen pounds weight of pure silver shall be equal value in all payments with one pound of pure gold." The laws of 1792, therefore, provided for the free coinage of gold and silver at the ratio of fifteen to one. This ratio was maintained until 1834, when a ratio of approximately sixteen to one was established.

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FEDERALISTS AND REPUBLICANS

We have seen that at the beginning of Washington's administration there was hardly such a thing as a political party in the United States. But this condition was not to last long. For the controversy which arose over Hamilton's financial measures caused men to take sides, with the result that by March, 1791, when the first Congress adjourned, two parties were in the process of formation. One of these was the party of centralization, the party that desired a strong central government. The adherents of this party called themselves Federalists,¹ because they wished to build up the Federal power under the Constitution. Their leader was the secretary of the treasury. Hamilton believed in a liberal or broad construction of the Constitution. It was his doctrine, as we saw in the case of the bank controversy, that in addition to the powers specifically enumerated in the Constitution there were many other reserved and implied powers which could be rightfully exercised by the Federal Government: a new sovereign nation, he contended,

The
Federalist
Party

¹ Before the adoption of the Constitution men called themselves Federalists because they wanted the Constitution adopted; after its adoption a Federalist was one who wanted a strong Federal Government under the Constitution.

had been brought into being by the events of the Revolution and the adoption of the Constitution, and this nation by the very fact of its existence possessed all the powers that a nation ought to have, whether all were mentioned in the Constitution or not. According to this view the powers of the Federal Government were virtually unlimited. As for the powers of the State, these were of secondary importance and must be circumscribed and measured by the practical necessities of the nation.

To oppose the centralizing influences of the Federalists the Republican party—Democratic-Republican was its official title—was organized. The leader of the Republicans was the secretary of state. Jefferson believed that decentralization was the key to good government. "The way to have good and safe government," he said, "is not to trust it all to one, but to divide it among the many. Let the National Government be entrusted with the defense of the nation and its foreign and federal relations, the State government with the civil rights, laws, police, and administration of what concerns the State generally, the counties with the local concerns of the counties; and each ward [township] direct the interests within itself. It is by dividing and subdividing these republics, from the great national one down through all its subdivisions until it ends in the administration of every man's farm by himself, that all will be done for the best." Cherishing these particularistic views, Jefferson was, of course, seized with political shivers when he saw the Federalists carrying everything before them in the name of strong government. He sincerely believed they were galloping toward monarchy, and he quickly sprang forward to check them. As an offset to Hamilton's doctrine of broad construction he announced a theory of strict construction, the essence of which was that the only powers which the Federal Government could lawfully and rightfully bring into use were those which were explicitly enumerated in the Constitution; all other powers belonged to the State. If a new power for the Federal Government should be desirable it should be secured by way of amendment and not by way of interpretation.

In their notions of government and society Jefferson and Hamilton were as far apart as it was possible for two men to be. "The idea for which Jefferson stood," says J. P. Gordy, "was the precise opposite of that which constituted the ruling principle of Hamilton's political life. The ruling idea of Hamilton was his love of

justice, stability, and order; the ruling idea of Jefferson was his love of liberty and his belief in its practicability to a greater extent and in a larger scale than the world had ever seen. The one thought the supreme need of society was a government strong enough and intelligent enough to enforce justice and preserve order; the other regarded liberty, and a government too weak to curtail it, as the supreme political good." Hamilton distrusted democracy because he believed it would not produce a good government. Jefferson loved democracy because it meant self-government, and this to his mind was more important than good government. Indeed to him self-government and good government meant about the same thing. Hamilton thought it better to expose society to the selfishness of the intelligent few than to the ignorance of the untrained multitude; Jefferson thought it wiser to let society suffer the consequences of its own ignorance than to trust to the tender mercies of the intelligent. If the people sometimes erred, they had a right to their own mistakes.

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VIII

The line of cleavage between the Federalists and the Republicans in a very short time became clear and distinct, and party warfare became fierce. The Federalists regarded their opponents as anarchists, as enemies not only of the Constitution but of all government. In the opinion of the Federalists a Republican hated strong government because he was unwilling to obey the laws and pay his debts and live a decent life. The Republicans in turn accused the Federalists of being traitors to the cause of liberty and enemies of republican institutions; they asserted that the Federalist party was under British influence, the charge resting upon the fact that many of the leaders of the party were closely connected with persons who stood high in the financial and political life of Great Britain. They saw in Hamilton's financial schemes deep-laid plans for corruption in government and for establishing a monarchy. Party lines were so sharply drawn and party spirit ran so high that close personal friends ceased to speak to each other. "Men," said Jefferson, "who have been intimate all their lives cross the streets to avoid meeting and turn their heads another way lest they should be obliged to touch their hats."

Party
Warfare

The results of party division were clearly seen in 1792 in the second Presidential election. Washington, it is true, was reelected unanimously, for both the Republican and the Federalist electors gave him their votes. But in the election of Vice-President there

The
Reelection
of
Washington

was a plain manifestation of party spirit. The Republicans tried to defeat Adams, who was a strong Federalist, by bringing out George Clinton, of New York. But this effort failed, for Adams received seventy-seven votes while Clinton received only fifty. In Congress, however, the Republicans had better success, for in the House which was elected in 1792 they had a majority.

Washington, although himself a Federalist, tried throughout his first term to maintain a non-partisan administration. But the experiment was a failure. By the time his second term was well under way, he was convinced that a bipartisan cabinet was undesirable. "I shall not," he said in 1795, "while I have the honor to administer the Government, bring a man into any office of consequence knowingly whose political tenets are adverse to the measures which the general Government is pursuing, for this, in my opinion, would be little better than political suicide." As a result of this determination the important offices soon became filled with the friends of strong government and of the administration; that is, with Federalists. Thus early in our history our government became a government of parties and it has never ceased to be administered on a party basis. And early, too, did it become the custom to appoint men to office as a reward for party service: "The spoils system, indeed," says Channing, "instead of being an innovation of Jacksonian Democrats or Jeffersonian Republicans, was an inheritance from the Federalist Presidents."

Suggested Readings

- First administration of George Washington: Schouler, Vol. I, pp. 284-287.
- Hamilton's financial system: McMaster, Vol. I, pp. 569-583.
- Washington's reflection: Stanwood, Vol. I, pp. 32-41.
- Alexander Hamilton: Gordy, Vol. I, pp. 103-117.
- Thomas Jefferson: Gordy, Vol. I, pp. 132-158.
- High finance: Channing, Vol. IV, pp. 90-116.
- Rise of political parties: Channing, Vol. I, pp. 150-176.

IX

TROUBLE ABROAD AND AT HOME

DURING Washington's first term (1789-93) statesmen were engaged chiefly in the business of organizing the Federal departments, in carrying out the financial plans of Hamilton, and in attending to other matters of domestic concern. Foreign problems during the first administration did not embarrass the Government in a serious manner, while the domestic problems which arose were for the most part such as could be solved without any great disturbance of the public mind. During his second term, however, Washington had to deal with most perplexing questions of foreign policy, and, at the same time, meet a troublesome condition of affairs at home.

THE FRENCH REVOLUTION

Early in Washington's second term the United States was drawn into the whirlpool of foreign affairs by the mighty social upheaval known as the French Revolution. For centuries the common people of France had been oppressively taxed by a corrupt and extravagant government and had been ground under the heel of a cruel and arrogant aristocracy. About the time, however, that the independence of America was secured France was awakened from the torpor of despotism in which she was sunk, and before many years had passed the sentiment of the nation was ripe for revolution. In 1789 the revolt came, and the power of the people was asserted in terrible fashion. The old society was torn up from its foundations. All the institutions of privilege and rank were swept away; the feudal system was abolished and peasants became the possessors of land; the rights of man were formally stated in a bill of rights; liberty was declared to consist in the freedom to do everything which injures no one else; a democratic organization of society was proclaimed. For a time the king was allowed to retain his throne. But monarchy, too, was doomed. In January, 1793, a revolutionary body, the National Convention, declared France to

The People
of France
Assert
Their
Power

be a republic, and Louis XVI, the proud descendant of a hundred kings, was guillotined near the broken statue of one of his own ancestors.

In the United States the progress of the Revolution was followed with the keenest interest. By the majority of the American people the new republic across the sea was greeted as a welcome sister, and the Revolution itself was regarded with feelings of the warmest sympathy. The Republicans were especially well pleased with the happenings in France. Jefferson, speaking of the excesses of the Revolution, wrote as follows in 1793: "In the struggle which was necessary many guilty persons fell without the form of a trial, and with them some innocent. These I deplore as much as anybody, and shall deplore some of them to the day of my death. But I deplore them as I should have done had they fallen in battle. It was necessary to use the arm of the people, a machine not so blind as balls and bombs, but blind to a certain degree. The liberty of the whole earth was depending on the issue of the contest, and was ever such a prize won with so little innocent blood? My own affections have been deeply wounded by some of the martyrs in the cause, but rather than it should have failed I would have seen the whole earth desolated; were there but an Adam and Eve left in every country, and left free, it would be better than it is now."

But not all Americans were so enthusiastic as Jefferson. Men of a conservative temperament looked with dismay upon the course of the Revolution, especially after the guillotine had begun its bloody work. Federalists in particular regarded the upheaval with disfavor. "Sir," said Hamilton in 1793, "if all the people in America were now assembled and were to call on me to say whether I am a friend to the French Revolution, I would declare that I hold it in abhorrence."

The French Revolution profoundly influenced the course of events in every part of the civilized world. In America its effect at first was merely to stir up the emotions and cause a division of sentiment between its friends, the radicals, and its enemies, the conservatives. But soon the Revolution gave rise to practical questions of such vital importance that they could not be settled by sentimental considerations.

A few weeks before the execution of Louis XVI the National Convention issued a decree calling upon the subjects of every country in Europe to rise in rebellion against their kings. This

action alarmed every monarch in Europe. Within a few months France was struggling with the combined forces of Great Britain, Holland, Spain, Austria, and Prussia, and a war was begun which raged for twenty years.

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WAR OR NEUTRALITY?

The moment Great Britain and France fell to fighting Washington saw trouble ahead. It was certain that France would rely upon the United States for aid, and of course it was equally certain that if the aid should be given the hostility of England would be incurred. The problem which confronted Washington was full of difficulties. By the treaty made with France in 1778¹ we were required to defend the French interests in the West Indies and to grant to France certain special privileges in our own ports. Furthermore, we owed a debt of gratitude to France for the helping hand which she had extended to us during the war for independence. Still another thing which Washington had to consider was the state of public opinion in the United States. This unquestionably was on the side of France. "By a great proportion of the people," said John Marshall, "it was deemed almost criminal to remain unconcerned spectators of a conflict between their ancient enemy and republican France. The feeling upon this occasion was almost universal. Men of all parties partook of it. The war was confidently and generally pronounced a war of aggression on the part of Great Britain, undertaken for the sole purpose of imposing a monarchical government on the French people. The few who did not embrace these opinions, and they were certainly very few, were held up as objects of public detestation, and were calumniated as the tools of Britain and the satellites of despotism."

Trouble
for the
United
States

Before deciding upon the policy to be followed in respect to the two belligerents, Washington promptly sent to each member of his cabinet a number of questions, of which the three most important were these: (1) Should a proclamation be issued containing a declaration of neutrality between France and England? (2) Was the United States obliged by good faith to consider the treaties heretofore made with France as applying to the existing situation? (3) Should a minister from the republic of France be received? At a cabinet meeting it was unanimously agreed that a proclama-

Neutrality

¹ See p. 84.

tion of neutrality should be issued and that a minister should be received. The question as to the binding force of previous treaties was postponed for further consideration. Washington thereupon issued a proclamation of neutrality, in which he declared that a state of peace existed with both France and England and warned all citizens to abstain from acts of hostility.

But the path of neutrality was as hard in the days of President Washington as it was in the days of President Wilson. Two weeks before the proclamation was issued Edmond Genêt, the minister of the new French republic and an ardent champion of liberty, landed at Charleston, where he was joyfully received by the people. He immediately commissioned four privateers, manned chiefly by Americans, and sent them out upon the sea to attack British vessels. Leaving Charleston he journeyed overland to Philadelphia, where thousands of citizens joined in heaping honors upon him. But in official circles he met with one disappointment after another. He was received coldly by Washington, and he found himself impeded at every step by the policy of neutrality to which the Government had committed itself. The refusal of the administration to coöperate with France threw the ebullient minister into a passion which led him to defy the Government. He declared that he would appeal from the President to the people. His violence went so far that the administration determined to send him out of the country, but before his dismissal he was recalled by his own Government. He did not, however, return to France; having won the hand of an American lady, he subsided quietly into domestic life in New York, "the waters of forgetfulness closing over him as he disappeared from public sight."

In the case of France, Washington by adhering strictly to the course of neutrality was able to uphold the national honor and, at the same time, to preserve peace. To do the same thing in the case of England seemed for a time impossible, for while our Government was struggling with Genêt, England entered upon a policy that threatened to force the United States into war in spite of Washington's desire for peace. In June, 1793, the English Government, wishing to stop foodstuffs going to France, instructed the commanders of English ships of war to seize all neutral vessels loaded wholly or in part with flour, corn, or meat bound to any port in France. A few months later similar orders were issued prohibiting all neutral trade with French colonies. In the exe-

cution of these orders hundreds of American vessels were seized and in many instances valuable cargoes were condemned. Moreover, British naval officers persisted in searching American ships for seamen of British birth, and if any English-born subjects were found they were taken and impressed into the service of Great Britain. This in itself was an offense to which we could not submit and maintain our self-respect. But the naval officers went even farther and took American-born citizens from American vessels and impressed them.

The conduct of Great Britain was so high-handed that the Federal authorities were forced to take action. Ought war be declared or could the crisis be passed without resort to arms? In Congress, where the question of war or peace would have to be settled, there was no decided sentiment in favor of war. The Federalist members were for adjusting the difficulties between the two countries by diplomatic means, if possible, but, in the meantime, they favored making preparations for war. The Republicans were opposed to war and did not favor preparing for it. Moreover, they were opposed to negotiations with England. Their plan was one suggested by their leader. "I should hope," wrote Jefferson to Madison, "that Congress, instead of a declaration of war, would instantly exclude from our ports all the manufactures, produce, vessels, and subjects of the nation committing this aggression during the continuance of this aggression, and till full satisfaction is made for it." The plan of commercial restriction was popular in Congress. A Non-Importation Bill was passed in the House by a decisive vote, and was lost in the Senate only by the casting vote of Vice-President Adams.

If the Non-Importation Bill had passed it would doubtless have been vetoed, for it was fraught with possibilities of war, while the President was bent upon peace. Moreover, it would have defeated completely the diplomatic purposes of the administration. The President had already sent John Jay to London to negotiate a treaty which he hoped would establish better relations between the United States and Great Britain. Jay was well received in England, and he succeeded in making a treaty; but it was one which promised to redress few of the wrongs of which the United States complained. It left England free to impress American sailors; it left her free to prohibit American trade with the French colonies; it permitted her to confiscate French goods on American vessels.

CHAP.
IXWar or
Peace?Jay's
Treaty

Only in one important respect was it entirely satisfactory to Americans; it provided for the early evacuation of the western forts, which the British were still holding despite the stipulations of 1783.¹

When the terms of Jay's Treaty were made public a storm of indignation swept over the entire country. In many places effigies of Jay and the treaty were burned together. In New York Hamilton attempted to make a speech in defense of the treaty but was driven from the platform by a volley of stones. In Boston some one chalked in large letters the inscription: "Damn John Jay! Damn every one that won't damn John Jay!! Damn every one that won't sit up all night damning John Jay!!!" The result of such tumultuous exhibitions of sentiment was to create in the United States a French party and a British party, the Republicans as a rule aligning themselves with the former and the Federalists with the latter; and for twenty years the principal question to be asked about the politics of an American was, Did he belong to the French faction or to the English faction?

Ratification

Washington was not at all satisfied with the terms of the treaty; but after he had consulted Hamilton, who had resigned from the cabinet but who was still the President's most trusted adviser, he sent the treaty to the Senate. It was ratified in June, 1795, and in March, 1796, it was proclaimed by Washington to be the law of the land. But even after this proclamation the treaty encountered dangers in the House of Representatives, where a determined effort was made to nullify it. Since an appropriation by Congress was necessary for the execution of the treaty its enemies in the House attempted to nullify it by refusing the appropriation. They first brought forward a resolution asserting the right of the House to deliberate upon any treaty which involved the expenditure of money. Having succeeded in passing the resolution, they then undertook to defeat the bill appropriating the necessary money. But in this they failed; for the bill passed by the narrow vote of fifty-one to forty-eight.

For historians Jay's Treaty is a perdurable bone of contention. By some writers it is praised as a master-stroke of statesmanship; by others it is denounced as a piece of base opportunism. To the mind of Washington the adoption of the treaty was simply an act of practical wisdom. The great man believed that if the treaty

¹ See p. 90.

should be rejected his policy of neutrality would break down, and the country would be plunged into a disastrous and unnecessary war with England. In order to preserve neutrality, he supported the treaty.

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While Jay's Treaty was under consideration steps were being taken to negotiate with Spain a treaty which would establish our rights in the Mississippi Valley. For years Spain had been claiming the sole right of navigation on the Mississippi and had interfered with American traffic on that stream in a most exasperating manner.¹ Our diplomats had attempted to effect a treaty that would open the river to American vessels, but in vain. At last the people of Kentucky and Tennessee threatened to throw diplomacy to the winds, and right their own wrongs by the use of force. This restlessness in the West had a good effect upon the Governments both of the United States and of Spain; for in 1795 the long-desired treaty was negotiated. It was agreed that Americans might use the river and that they should be permitted to land their goods at New Orleans and transfer them to ocean-going vessels. The treaty was satisfactory to the Westerners for by opening the Mississippi to them it opened the door to the markets of the world.

Treaty with
Spain

THE WHISKY REBELLION

About the time Jay was beginning the negotiation of his unpopular treaty the President found himself obliged to use the armed strength of the Federal Government to carry out an unpopular law. As the customs duties levied by the law of 1789 had failed to raise revenue sufficient to meet the expenses of the Government, Congress in 1792 had imposed an internal revenue tax on distilled spirits. This law created widespread dissatisfaction in North Carolina, Virginia, and Pennsylvania. In the western counties of Pennsylvania the execution of the law led to open violence. The frontiersmen were accustomed to convert their corn into whisky because such a bulky article as corn could not be carried to Eastern markets over the bad roads and sold at a profit. When the Federal revenue officers attempted to collect the whisky tax they were stoutly resisted. In one instance the enemies of the law tarred and feathered a revenue officer. Opposition to the tax began to show itself as early as 1792, but it was in 1794 that the

An Insur-
rection
Suppressed

¹ See p. 115.

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Whisky Insurrection—as the uprising was called—really began. In the summer of that year the execution of the law was in some places checked by downright lawlessness. A mass-meeting of nearly 7000 insurgents was held at Braddock's Field near Pittsburg, and preparations were made to array the whole population of four counties against the authority of the United States. As the insurrection had now reached the pitch of organized rebellion, Washington decided to act: he sent 15,000 soldiers, chiefly militiamen, against the lawbreakers, and the Whisky Insurrection was quickly put down. All who had joined in the uprising were pardoned by the President.

The
Significance
of the Gov-
ernment's
Action

This insurrection, in itself a trivial matter, was really an event of great significance. "It was," says Henry Cabot Lodge, "the first direct challenge to the new Government. It came, as it always does, to one man to make the answer. That man took up the challenge. . . . The action of the Government vindicated the right of the United States to live, because they had proved themselves able to keep order. It proved to the American people that their Government was a reality of force and power. If it had gone wrong, the history of the United States would not have differed widely from that of the Confederation. . . . The crushing of that insurrection in the western counties of Pennsylvania was one of the turning points in the nation's life."

A WESTWARD-MOVING PEOPLE

A Great
Theme of
American
History

While the insurgent distillers were giving so much trouble in western Pennsylvania, the Indians a little further west were spreading terror among the whites of the Northwest Territory. To understand what was taking place in that region we must trace the course of Western development during the years that followed the Revolution; for the history of America cannot be faithfully told if the West is neglected. The history of our country was for nearly two hundred and fifty years the history of a mighty westward movement which began at Jamestown in 1607 and did not end until the Pacific coast was reached in the middle of the nineteenth century. Throughout this whole period the current of American life was always setting strongly to the west. Men were always leaving the older Eastern settlements and pushing deeper and deeper into the Western forests, and farther and farther out on

the Western plains. The historian, then, must from time to time turn away from affairs of national administration, from the contest of political parties, and the deeds of Presidents and Congress, to trace the progress of this westward movement and show how the great West was brought under the control of the white man and built up into flourishing States.

Before the Revolution the progress of the westward movement was slow, because the English Government gave but little encouragement to western settlement,¹ but as soon as the western country came into the possession of the United States and the Ohio Valley was thrown open to settlers white men from all parts of the world began to rush into the new lands like hungry cattle into new pastures. In twenty years after the acknowledgment of our independence the frontier line moved farther westward than it had moved in a century under British rule. At the close of the Revolution there were probably not more than 50,000 white inhabitants within the boundaries of the United States west of the Alleghanies; by 1800 the population of this region had jumped to nearly 400,000.

As soon as a region was filled with a sufficient number of settlers steps were taken to organize it either as a Territory or as a State. If organized as a State it was admitted into the Union on an equal footing with the other States. The first State to be admitted into the Union under the Constitution was Vermont, a pioneer community whose development may be fittingly included in the story of the westward movement. The Green Mountain people during the Revolution had adopted a constitution and had declared Vermont to be an independent State; but it was not recognized as such, for the reason that the Vermont region was claimed by New York. In 1790, however, New York relinquished her claim, and in the next year Vermont came into the Union as its first adopted daughter.

By this time there were two communities in the West that deemed themselves worthy of the honor of Statehood. These were Kentucky and Tennessee. Kentucky, it will be remembered, originally belonged to Virginia, but the Kentuckians desired to live under the government of a separate State. After years of agitation their wishes were fulfilled: in 1788 Virginia consented to a separation, and in 1792 Kentucky was admitted as the second of the adopted States.

¹ See p. 46.

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Tennessee originally belonged to North Carolina, but that State was neglectful of her western child. She allowed the Tennesseans to shift for themselves, until at last, for their own defense and safety, they organized in 1784 as a separate commonwealth, calling the new State Franklin in honor of Benjamin Franklin. John Sevier, a pioneer hero, was chosen governor of Franklin, but he was soon shorn of his power; for in 1788 North Carolina asserted her control of the Tennessee country, and the officers of Franklin were ousted. In 1790 Tennessee was given over by North Carolina to Congress to be governed as a Territory. It remained in this position until 1796, when the people, now nearly 60,000 in number, framed for themselves a constitution, and secured admission into the Union as the sixteenth State. In 1798, a strip of land bounded on the west by the Mississippi, on the north by a line drawn due east from the mouth of the Yazoo to the Chattahoochee River, and on the south by the thirty-first degree of north latitude, was set off and organized as the Mississippi Territory.

Mississippi
TerritorySettlement
of the
Upper
Valleys
of the Ohio

The most interesting and important event connected with the western movement during the closing years of the eighteenth century, however, was the advance of civilization in the Ohio country. The settlement of the upper valleys of the Ohio had begun before the Revolution. In 1765 the town of Pittsburg was laid out. Between 1766 and 1770 many settlers established homes in the Monongahela Valley. By 1770, in the country lying between the Ohio and Monongahela rivers there were about 1500 white inhabitants, most of them Scotch-Irish. In 1769 Ebenezer Zane, a God-fearing, Bible-loving Scotch Presbyterian, made the first clearing at the mouth of Wheeling Creek and laid the foundations of the city of Wheeling. These settlements were all made on the south bank of the Ohio. The north side of the Ohio was strictly "Indian Country,"¹ and no permanent settlements were made on that side of the river before the Revolution.

The
Northwest
Territory

But the country north of the Ohio was one of the finest regions in the world, and its occupation by white settlers could not long be deferred. Early in the days of the Confederation pioneers were beginning to float down the Ohio in flatboats and build their homes on the soil of the Northwest Territory. In a few years so many white people were living in this western domain that it became necessary for them to have some form of government. In 1787,

¹ See p. 46.

in response to the needs of some New Englanders who were projecting a settlement at the confluence of the Ohio and the Muskingum rivers, Congress passed an ordinance setting forth the manner in which new communities in the Northwest should be governed. The Ordinance of 1787 provided (1) that not less than three nor more than five States should be formed out of the Northwest Territory; (2) that each State should have a republican form of government; (3) that there should be neither slavery nor involuntary servitude in the territory, otherwise than for punishment for crime; (4) that religious liberty should be guaranteed; (5) that education should be encouraged; (6) that the utmost good faith should always be observed toward the Indians, their lands and

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IXThe
Ordinance
of 1787

Early Ohio

property should not be taken from them without their consent, and laws should be made from time to time for preventing wrongs being done to them and for preserving peace and friendship with them; (7) that when one of the political communities should have 60,000 inhabitants it should be admitted into the Union on an equal footing with the original States in all respects; (8) that until a community should be large enough for Statehood it should be governed as a Territory. The Territory provided by the Ordinance was to pass through two stages of government. In its first stage, when the number of its legal voters was less than 5000, it was to have no law-making body and was to be governed entirely by a governor, judges, and other officers appointed by Congress.¹ When the number of legal voters should come to be more than 5000 the Territory was to pass into the second stage of government and to

¹ After the adoption of the Constitution the appointment of the Territorial officers was made by the President.

be given a Territorial legislature. The Ordinance of 1787 was the last important law passed by the old Congress of the Confederation. It was promptly reënacted by the Congress organized under the Constitution.

The effects of the Ordinance of 1787 upon the course of American history were so far-reaching that it was regarded as being almost as important as the Constitution itself. Two of its provisions were of the most profound significance. The clause providing the form of government that should prevail in the Northwest Territory foreshadowed the policy that resulted in giving new communities, wherever they might arise, the precious boon of self-government. The Territories while in their infancy were to be treated as colonial dependencies, but so soon as they were large enough and strong enough to govern themselves they were to be clothed with all the power and rights of an American State. Of almost equal significance and influence was the clause prohibiting slavery in the Northwest Territory. It is true that slavery would in all probability have been excluded from this region by other causes—by an unfavorable climate, and by settlement by a population desiring a system of free labor,—but it is also true, as will be seen hereafter,¹ that whenever efforts were made to introduce slavery into the country north of the Ohio the ordinance always stood as an insuperable barrier. “It impressed,” says Rhodes, “on the soil itself, while yet a wilderness, an incapacity to sustain any others than freemen.”

Having secured the passage of the ordinance, and having contracted with Congress for the purchase of nearly 5,000,000 acres of land at an actual price of about ten cents an acre, the New Englanders promptly began the hard work of settlement. They sent out pamphlets calling attention to the delightful climate and rich soil of the Ohio region and assuring readers that nowhere else could they be so prosperous and happy as in the West. A vanguard of about fifty settlers led by Rufus Putnam set out at once and in the spring of 1788 landed at the mouth of the Muskingum River in a bullet-proof barge which bore the illustrious name of *Mayflower*. It was well that this barge was bullet-proof, for in the woods along the north bank of the Ohio there lurked many a savage with a gun in his hands and mischief in his heart. The *Mayflower* party went ashore opposite Fort Hamar, where a small guard of

¹ See p. 351.

soldiers was stationed. In the winning of the Ohio, soldiers and settlers went hand in hand, and every acre of land won by the ax and the plow had to be guarded and defended by the rifle.

Under the protection of the soldiers the New Englanders began to fell trees and build homes and to lay the foundation of Marietta, where the wheels of a Territorial Government were set in motion in July, 1788; for General Arthur St. Clair had come out as the governor of the Territory. A few months later, in December, 1788, twenty-six settlers landed at the foot of what is now Sycamore Street in Cincinnati and began to build a town which they called Losantiville, but which afterwards received the name of Cincin-

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Boundaries established by the Treaty of Greenville

nati. Other settlements quickly followed and within a few years the towns of Belpré, Gallipolis, Portsmouth, Manchester, and South Bend sprang up on the banks of the Ohio.

As white men became more numerous in the Ohio country the red men became more troublesome. In 1791 Governor St. Clair was compelled to march against the Indians, but he suffered a terrible defeat. General Anthony Wayne was then sent against the red warriors. Meeting them in battle at Fallen Timbers, he dealt them such a blow that they gladly entered in 1790 into an agreement known as the Treaty of Greenville. This was a real treaty; for from the beginning, the Government adopted the policy of dealing with an Indian tribe as if it were an independent nation, a policy that was not abandoned until late in the nineteenth century. Treaties with Indian tribes, however small or insignifi-

The
Treaty of
Greenville

cant, were clothed in the same stately language as the most important treaty with a great European power. By the Treaty of Greenville a boundary line between the Indians and the whites was established. The lands south and east of the line, including about two thirds of the present State of Ohio, were ceded to the whites; those north and west of the line were to remain in the possession of the red men.

With the Indians out of the way the settlement of the Ohio country could go on without serious hindrance. Towns were built farther up the streams and farther inland. In 1795 Dayton and Chillicothe were founded, and the next year saw the beginnings of the great city of Cleveland.

The
Territory
Northwest
of the Ohio;
Indiana
Territory

In 1800, the carving of the Northwest Territory into separate political divisions began. By a line running north and south at the western border of what is now Ohio the Territory was divided into two parts, each of which was organized as a distinct Territory. The eastern portion was given the name of Territory Northwest of the Ohio, while the eastern portion was called Indiana Territory. The population of the Territory Northwest of the Ohio was now more than 40,000, and its people were already clamoring for Statehood under the terms of the Ordinance of 1787.

Thus by 1800 the seeds of American civilization had been sown throughout a large part of the country beyond the mountains. Two flourishing States west of the Alleghanies had been added to the Union, and great Territories had been organized and furnished with the machinery of civil government. Along with this development there was, of course, an enormous increase in the area of settlement and a rapid advance of the frontier line. The settled area of the United States in 1790 had been about 240,000 square miles; in 1800 it was upwards of 360,000 square miles. The frontier line in 1790, if we disregard the detached settlements, was in some places still east of the Alleghanies; in 1800 in many places it was hundreds of miles west of the mountains.

THE CLOSE OF WASHINGTON'S PRESIDENCY

Washington
Retires to
Private
Life

While the pioneers of the West were struggling with the Indians and solving the problems of the wilderness, the statesmen at Philadelphia continued to struggle with the difficulties arising out of the disturbed condition of foreign affairs. The war between France

and England still raged, and the American policy of neutrality was resulting in a peace that was almost as disquieting as war itself. Washington was still holding the ship of state firm to the course of neutrality; but in 1796, when his second term was drawing to a close, he determined that another man must be placed at the helm. The great man was now weary of the cares of office, and he was distressed by the torrents of abuse that were beating upon him. His advocacy of Jay's Treaty made him the object of fierce malediction. He was bitterly denounced as an Anglomaniac and as a betrayer of France. His connection with the Federalist party caused the Republicans to regard him as their greatest enemy, and he was subjected to outbursts of party spleen. In February, 1796, the House of Representatives, then controlled by the Republicans, refused to adjourn for half an hour in order to go and pay him its respects, as it had up to that time been accustomed to do. Yet in spite of all this Washington was still strong in the affection of the people, and there is no doubt that if he had desired a third term he would have been elected. He felt, however, that the time had come for him to withdraw from public life; and when his second term ended on March 4, 1797, he retired to Mount Vernon, where he lived quietly and happily until his death on December 31, 1799.

A few months before his retirement Washington published his Farewell Address, a document which has come down to us as one of our most sacred political treasures. In the address the people were warned against the dangers of sectionalism, of partisanship, and of the spirit of encroachment of one department of government upon another. The importance of cherishing and sustaining the Union was urged. The passage of the address which took deepest root in the public mind was the one which admonished America against intervention in the affairs of Europe. The most significant portions of the address are given herewith in full:

CHAP.
IX

Washington's Farewell to His Countrymen

WASHINGTON'S FAREWELL ADDRESS

Friends, & Fellow-Citizens:

The period for a new election of a Citizen, to administer the Executive government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be clothed with that important trust it appears to me proper, especially as it may con-

duce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made. . . .

A solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments; which are the result of much reflection, of no inconsiderable observation and which appear to me all important to the permanency of your felicity as a People. . . .

The Unity of Government which constitutes you one people is also now dear to you. It is justly so; for it is a main Pillar in the Edifice of your real independence, the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very Liberty which you so highly prize. But as it is easy to foresee, that from different causes & from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal & external enemies will be most constantly and actively (though often covertly & insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective & individual happiness; that you should cherish a cordial, habitual & immoveable attachment to it: accustoming yourselves to think and speak of it as the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our Country from the rest, or to enfeeble the sacred ties which now link together the various parts. . . .

The North, in an unrestrained intercourse with the South, protected by the equal Laws of a common government, finds in the productions of the latter, great additional resources of maritime & commercial enterprise and precious materials of manufacturing industry. The South in the same Intercourse, benefitting by the agency of the North, sees its agriculture grow & its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish & increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The

East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications, by land & water, will more & more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth & comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own production to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of Interest as one Nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate & unnatural connection with any foreign Power, must be intrinsically precarious.

While then every part of our country thus feels an immediate & particular Interest in Union, all the parts combined cannot fail to find in the united mass of means & efforts greater strength, greater resource, proportionately greater security from external danger, a less frequent interruption of their Peace by foreign Nations; and, what is of inestimable value! they must derive from the Union an exemption from those broils and Wars between themselves, which so frequently afflict neighboring countries, not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments & intrigues would stimulate & embitter. Hence likewise they will avoid the necessity of those over grown Military establishments, which under any form of Government are inauspicious to liberty, and which are to be regarded as particularly hostile to Republican Liberty. . . .

These considerations speak a persuasive language to every reflecting & virtuous mind, and exhibit the continuance of the Union as a primary object of Patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective Subdivisions, will afford a happy issue to the experiment. 'T is well worth a fair and full experiment. . . .

In contemplating the cause which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by Geographical discriminations—Northern and Southern—Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of

the Party to acquire influence, within particular districts, is to misrepresent the opinions & aims of other Districts. You cannot shield yourselves too much against the jealousies & heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. . . .

To the efficacy and permanency of Your Union, a Government for the whole is indispensable. No Alliance however strict between the parts can be adequate substitute. They must inevitably experience the infractions & interruptions which all Alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of Government, better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation & mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its Laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true Liberty. The basis of our political systems is the right of the people to make and alter their Constitutions of Government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole People, is sacredly obligatory upon all. The very idea of the power and the right of the People to establish Government presupposes the duty of every Individual to obey the established Government. . . .

I have already intimated to you the danger of Parties in the State, with particular reference to the founding of them on Geographical discriminations. Let me now take a more comprehensive view, & warn you in the most solemn manner against the baneful effects of the Spirit of Party, generally.

This spirit, unfortunately, is inseparable from our human nature, having its root in the strongest passions of the human mind. It exists under different shapes in all Governments, more or less stifled, controuled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternatè domination of one faction over another, sharpened by the spirit of revenge natural to party dissention, which in different ages & countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more

formal and permanent despotism. The disorders & miseries, which result, gradually incline the minds of men to seek security & repose in the absolute powers of an Individual: and sooner or later the chief of some prevailing faction more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of Public Liberty. . . .

It is important, likewise, that the habits of thinking in a free Country should inspire caution in those entrusted with its administration, to confine themselves within their respective Constitutional spheres; avoiding in the exercise of the Powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create under whatever the form of government a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power; by dividing and distributing it into different depositories, & constituting each the Guardian of the Public Weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country & under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the People, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation. . . .

Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labour to subvert these great Pillars of human happiness, these firmest props of the duties of Men & Citizens. The mere Politician, equally with the pious man ought to respect & to cherish them. A volume could not trace all their connections with private & public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in Courts of Justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure—reason & experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

'T is substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more

or less force to every species of Free Government. Who that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric.

Promote then as an object of primary importance, Institutions for the diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength & security, cherish public credit. One method of preserving it is to use it as sparingly as possible: avoiding occasions of expence by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it—avoiding likewise the accumulation of debt, not only by shunning occasions of expence, but by vigorous exertions in time of Peace to discharge the Debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. The execution of these maxims belongs to your Representatives, but it is necessary that public opinion should coöperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be Revenue—that to have Revenue there must be taxes. . . .

A passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favourite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels & Wars of the latter, without adequate inducement or justification: It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions—by necessarily parting with what ought to have been retained—by exciting jealousy, ill will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. . . .

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent Patriot. How many opportunities do they afford to tamper with domestic factions, or practice the arts of seduction, to mislead public opinion, to influence or awe the public Councils! Such an attachment of a small or weak, towards a great & powerful Nation, dooms the former to be satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens) the jealousy of a free people ought to

be *constantly* awake; since history and experience prove that foreign influence is one of the most baneful foes of Republican Government. . . .

The Great rule of conduct for us, in regard to foreign Nations is in extending our commercial relations to have with them as little *political* connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise to us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations & colisions of her friendships, or enmities:

Our detached & distant situation invites and enables us to pursue a different course. If we remain one People, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European Ambition, Rivalship, Interest, Humour, or Caprice?

'T is our true policy to steer clear of permanent alliances, with any portion of the foreign world—So far I mean, as we are now at liberty to do it—for let me not be understood as capable of patronising infidelity to existing engagements, (I hold the maxim no less applicable to public than to private affairs that honesty is always the best policy). I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary allowances for extraordinary emergencies.

Harmony, liberal intercourse with all Nations, are recommended by policy, humanity and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor

granting exclusive favors or preferences; consulting the natural course of things; diffusing & deversifying by gentle means the streams of Commerce, but forcing nothing; establishing with Powers so disposed—in order to give to trade a stable course, to define the rights of our Merchants, and to enable the Government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, & liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that 't is folly in one Nation to look for disinterested favors from another—that it must pay with a portion of its Independence for whatever it may accept under that character—that by such acceptance, it may place itself in the condition of having given equivalents for nominal favours and yet of being reproached with ingratitude for not giving more—There can be no greater error than to expect, or calculate upon real favours from Nation to Nation. 'Tis an illusion which experience must cure, which a just pride ought to discard. . . .

G: WASHINGTON

United States }
19.th September } 1796

John
Adams

By the withdrawal of Washington, the Presidency was for the first time thrown open to the rivalry of candidates. The election of 1796, therefore, was the first of that series of Presidential contests which has always been such a prominent feature in American life. The Federalists had several candidates, of whom the chief aspirants were John Adams, Alexander Hamilton, and John Jay. The Republicans centered their forces upon Thomas Jefferson. The result of the election was determined in the manner prescribed by the Constitution as it then stood: each Presidential elector voted for two men, and the one who received the largest number of votes was declared President, while the one who received the next highest was declared Vice-President. In accordance with this provision each of the 138 electors wrote upon his ballot the names of two men both of whom in the eyes of the law were candidates, for every man voted for by an elector was eligible for election as President. When the electoral vote of 1796 was counted it was found that John Adams stood highest with seventy-one votes and that Thomas Jefferson stood second with sixty-eight votes. Adams, therefore, was declared President and Jefferson Vice-President.

Two things were brought out clearly by the election of 1796.

First, it was proved that the electoral system provided by the Constitution was an awkward one, for under it it was possible for the candidate of one political party to be chosen President while the leader of another party was chosen Vice-President. Secondly, the election showed that party division had followed geographical lines: every Southern State except Maryland was Republican, while every Northern State was Federalist.

CHAP.
IX

“ADAMS AND LIBERTY”

In his inaugural address Adams promised to deal impartially and fairly with all sections and parties, to do justice to all nations, and to maintain peace and friendship with all the world. He desired in the main to carry forward the policies of his predecessor. To this end he retained Washington's cabinet in office. In doing this he made a grave political error, for a more unsuitable set of co-workers could not have been selected. “They were,” says Schouler, “men without a public following, borrowing their sole lustre from Washington's radiance; the two most conspicuous of them [Timothy Pickering and Oliver Wolcott] from the same section of the country as Adams himself; and the majority at least led by all antecedents to look to Hamilton for inspiration, regarding the new President not as one to whom they owed their place and whom they must faithfully serve. And Hamilton, their inspirer, was the one of all in the party whom Adams especially disliked.”

Adams
and His
Cabinet

The most urgent matter awaiting the new administration was that of our French relations, for Adams inherited from his predecessor the policy of neutrality and along with it a legacy of trouble with France. The Jay Treaty had deeply offended the French people, who construed it as unfriendly to their country in the highest degree. But the French did not blame the American people; they blamed the American Government. They felt that the masses in the United States were on their side, and they did all they could to create division and dissension between the American people and their constituted authorities. As soon as Jay's Treaty was signed the French republic began to show its displeasure by measures of retaliation. American vessels were captured by French cruisers. The American minister to France was sent out of the country, and a message was sent to Adams informing him that the

Trouble
with France

CHAP.
IXStrengthen-
ing the
National
Defense

French Government would have nothing further to do with the United States until the grievances of France were redressed.

Believing that the severance of diplomatic relations would lead to war, President Adams convened Congress in special session in order that provision might be made for organizing an army and for defending the coast. In the Senate, where the Federalists had a decided majority, there was a strong anti-French sentiment, but in the House, where the Federalist majority was "inconstant and equivocal," the anti-British party held the balance of power. A Congress thus divided was not likely to enter heartily upon any fixed course of action. The President's wishes, however, were acceded to in part. A bill was passed to complete and man three new frigates, provision was made for coast defense, and it was enacted that 80,000 militia should be ready to march at a moment's warning. Congress did not desire war: the longer it remained in session and the more it considered the European situation the more was it convinced of the wisdom of neutrality.

"Millions
for
Defense;
Not One
Cent for
Tribute"

President Adams did not wish war any more than Congress did, and he was as desirous of neutrality as Washington had been. With the hope of healing the breach through treaty arrangements he despatched as envoys to France Charles C. Pinckney, Elbridge Gerry, and John Marshall, but these envoys found that honorable and honest negotiation with the French Government was impossible. They were met at Paris by three unofficial agents of the Directory—the governing body of France—and were informed that before a treaty could be made the United States would have to lend a large sum of money to the French Government to enable it to carry on the war against England, and that a considerable sum—about \$240,000—by way of a *douceur*, another word for bribe, would have to be given to the members of the Directory.¹ The envoys, who regarded these overtures as an insult, rejected them flatly. As for lending the money, they said they had not been authorized by their Government to contract loans; as for the *douceur*, they would not give a sixpence. One of them, Charles Pinckney, was said to have declared, "Millions for defense, but not one cent for tribute," words soon to be taken up in the United

¹ The names of the French agents who dealt with the envoys were known in the diplomatic records as X, Y, and Z; and for this reason the incident was called the X Y Z Affair. The names of the agents were Hottingeur (X), Bellamy (Y), and Hauteval (Z).

States and made a popular slogan. In their desire to restore amicable relations between the two countries the envoys ignored the insults offered by the unofficial agents and made strenuous efforts to effect an accommodation; but in vain. They were unable to secure even so much as a direct official interview with the French Government.

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When Adams heard of the insulting manner in which the American envoys had been treated he declared the negotiations at an end. “I will never,” he said, “send another minister to France without assurances that he will be received, respected, and honored as the representative of a great, free, powerful, and independent nation.” The report of the envoys aroused much bitterness of feeling throughout the United States, and there went up a clamor for a war with France. “Millions for defense, but not one cent for tribute,” was everywhere the cry. From all parts of the Union addresses poured in upon the President assuring him that the people were ready to go to any length in their support of the Government. Congress, although it was now wholly controlled by the Federalists, was still unwilling to declare war. Nevertheless, the bronze doors of strife were forced open and measure after measure tending to war went rapidly through both branches. Merchant vessels were authorized to arm and repel attacks. A Navy Department was created, a new regiment was added to the country’s little regular army, and ten thousand volunteers were enlisted for a term of three years. Adams encouraged the war spirit, and for a while he tasted the sweets of popularity. “Since man was created and government formed,” wrote Robert Troup, “no public officer has stood higher in the confidence and affection of his countrymen than the President now does.”

Diplomatic
Relations
Severed

But the trouble with France was soon to be adjusted. When the Directory was apprised of the warlike attitude of the United States it changed its policy. It expressed its eagerness to preserve peace; it issued circulars forbidding the further capture of American vessels; it released American seamen. In 1799 the French Government expressed its willingness to receive any diplomatic representation the United States might send to France, promising that such representation would be treated with the respect due to a great nation. Adams, unwilling to go further for a mere point of etiquette, took France at its word. He sent envoys to Paris; and in September, 1800, a treaty was entered into by which peaceful

The French
Treaty

relations between the two countries were restored and stipulations for the better protection of American commerce were made. The treaty was very unpopular with the war party, and it brought upon the President a storm of censure and abuse. Yet it is the verdict of history that Adams acted wisely, for just as Jay's Treaty kept us from throwing ourselves into the arms of France, so this treaty with France in 1800 kept us from throwing ourselves into the arms of England. The two nations could continue their struggle, but the United States would pursue a neutral course.

REPRESSIVE WAR MEASURES

Naturaliza-
tion

During the excitement caused by the unfriendly conduct of France the Federalists passed three repressive measures designed to hold in check disloyal aliens and to stifle disloyal utterances. The first of these was a new Naturalization Act. In 1795 a Naturalization Act had been passed enabling an alien to become a citizen after five years' residence in the United States. The new law of 1798 prolonged the term of residence to fourteen years, and placed all white aliens who resided or might thereafter reside in the United States under a system of surveillance, by requiring them to be reported and registered. Some of the members of Congress were for doing away with naturalization altogether. Citizenship, however, was denied outright only to alien enemies.

The Alien
Act

Far more drastic than the Naturalization Act was the so-called Alien Act. This bestowed upon the President the power to order all such aliens as he should judge dangerous to the peace and safety of the United States, or should have reasonable ground to believe were concerned in any treasonable or secret machinations against the Government thereof, to leave the United States within such time as he might direct. If any alien thus ordered to depart should refuse, he was to be imprisoned for not more than three years. If he obeyed the order and then returned, he was to be imprisoned at the will of the President.

The
Sedition
Act

The Alien Act was quickly followed by the Sedition Act, a statute which one hundred and twenty years later was drawn upon in the framing of espionage laws during the war with Germany. The Sedition Act of 1798 imposed a heavy fine upon any person conspiring to oppose any measure of government, and upon any person publishing any false or scandalous or malicious writings against the National Government, Congress, or the President.

The chief purpose of the Federalists in passing the Alien and Sedition acts was to frustrate the plans and silence the tongues of those who sympathized with France and criticized the President for his action in regard to French affairs. The Alien Law enforced itself: the persons against whom it was directed took alarm and fled, and Adams did not deport a single man. But the Sedition Law was enforced, and a number of persons were found guilty of violating its provisions. Matthew Lyon, "an excitable little Hibernian" from Vermont, wrote a letter to a newspaper charging President Adams with "continual grasp for power and unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice." He was fined one thousand dollars and sentenced to imprisonment for four months. He served his term in jail and paid his fine: many years later, however, Congress refunded the fine with interest. Thomas Cooper, "a learned, ingenious, scientific, and talented madcap," was imprisoned six months and fined four hundred dollars for animadverting too freely upon the administration. Altogether ten persons, all of them Republicans, were convicted under the Sedition Act.

CHAP.
IXEnforce-
ment

THE FEDERALIST PARTY ON A DOWNWARD COURSE

The Alien and Sedition acts proved to be among the most unpopular measures ever passed by the American Congress. They were declared by Jefferson to be "an experiment on the American mind to see how far it will bear an avowed violation of the Constitution." Hamilton himself saw that the repressive measures overshot the mark, and begged the Federalists not to establish a tyranny. "Energy," he said, "is one thing; violence is another." But disregarding their great leader's advice they chose the violent course, with the result that the Federalist party was started on the downward path to ruin.

Since the Alien and Sedition acts were aimed at Republicans the immediate effect of the obnoxious laws was to elicit violent protests from the leaders of the Republican party. In Republican circles the measures were everywhere denounced on the ground that Congress was forbidden by the Constitution to pass laws interfering with freedom of speech or personal liberty. "Of the Sedition Law," Jefferson wrote, "I consider that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall

Effect of the
Alien and
Sedition
Acts

CHAP.
IXThe
Kentucky
Resolutions

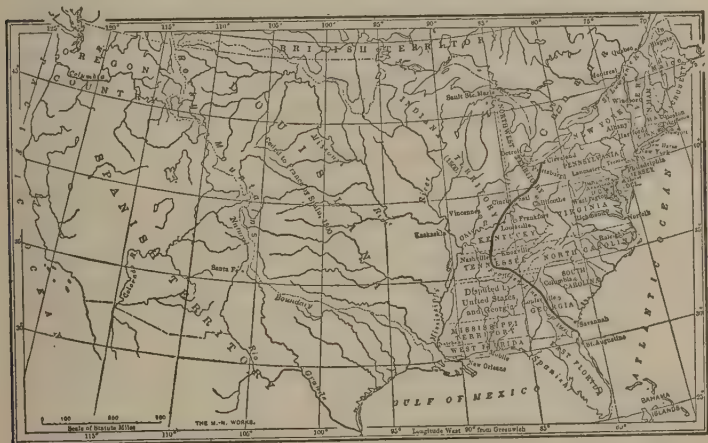
down and worship a golden image; and that it was as much my duty to arrest its execution in every stage as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship their image." The most significant protests were those made by the legislatures of Kentucky and Virginia. In November, 1798, the legislature of Kentucky passed the famous Kentucky Resolutions, drawn up by the hand of Jefferson, declaring that the Alien and Sedition laws were contrary to the Constitution, and that it was the duty of the States to combine and refuse obedience to the two oppressive statutes. The next month resolutions of the same nature drawn up by James Madison were adopted by the legislature of Virginia. The Kentucky and Virginia resolutions were sent to the other States for consideration. Of the seven States that replied all objected to the resolutions. The effect upon the country at large must, therefore, have been a source of great disappointment to their authors and promoters. But the effect upon the course of American politics was profound and durable; for the hidden meaning of the resolutions was that if the States desired they could by combined action "nullify" or set aside a law of Congress, a doctrine which was to be urged again and again both at the North and at the South, and which was to bring upon the country a long train of evils.

The
Election of
Thomas
Jefferson

Although the Alien and Sedition laws were by express provision to expire in 1800 and 1801 respectively, and although in reality they had been applied in a very small number of cases they had, nevertheless, led the people to believe that their liberties were in jeopardy. This irritation of the public mind produced a condition which in the Presidential election of 1800 was entirely favorable to the Republican party. In that year Jefferson was unanimously nominated by the Congressional caucus for President, the candidate for Vice-President being Aaron Burr of New York. The Federalist candidates for President and Vice-President were John Adams and C. C. Pinckney of South Carolina. The campaign was strangely simple and quiet when compared with the contests of to-day. There were no party platforms and no public acceptance of the candidacy by the nominees. Jefferson spent the entire summer of 1800 in close retirement attending to the conduct of his farm. Between May and the time for the choosing the electors in November he wrote but three letters. When the electoral vote was counted it was found that Jefferson and Burr had each received

seventy-three votes and Adams sixty-five. Here was a troublesome complication, for the Constitution provided that where two persons had the votes of a majority of the whole number of electors and at the same time an equal number of votes, then the House of Representatives should choose one of them for President, the vote in such cases being taken by States, the representative of each State casting one vote. The election, therefore, had to be taken to the House of Representatives, where the contest lay between Burr and Jefferson. A caucus of the Federalist members of the House of Representatives by a decided majority pledged the support of the

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IX



The United States in 1800

party to Burr. But this step was taken in opposition to Hamilton's wishes: to his eternal honor Jefferson's great rival refused to countenance a scheme to defeat the will of the people. Bitter as was his hate and deep as was his distrust of Jefferson, Hamilton was ready to subordinate private considerations to the public good. Believing that the country would be safer in Jefferson's hands than in Burr's, he wrote letter after letter to his friends in Congress entreating them to vote for Jefferson. On February 11, 1801, the balloting for President began in the House. On the first ballot eight States voted for Jefferson and six for Burr, the votes of two States being divided. Balloting continued without a choice until February 17, when in the thirty-sixth ballot ten States voted for

Jefferson and four for Burr. Thomas Jefferson was thus elected President and Aaron Burr Vice-President.¹

With the defeat of Adams the National Government passed out of the hands of the Federalist party into the hands of the Republicans. The scepter of power was never regained by the Federalists: they never fully recovered from the defeat of 1800. Yet the Federalist party during the twelve years of its existence accomplished a noble work. "It had found the country with only the shadow of a government," says J. P. Gordy; "it had created one with power enough to provide for the needs of the nation. It had converted the lifeless letter of the Constitution into a living system of government. It had touched the dead corpse of public credit and it sprang into life. It had kept the country in the straight and narrow path of neutrality when to depart from it would have been fatal to the young government. But its work was done."

Suggested Readings

- Second administration of George Washington: Schouler, Vol. I, pp. 238-362.
 Kentucky and Virginia resolutions: McElroy, pp. 211-264.
 Administration of John Adams: Schouler, Vol. I, pp. 354-446.
 Jay's Treaty: McMaster, Vol. II, 212-229; Gordy, Vol. I, pp. 239-264.
 Industrial revolution: Van Metre, pp. 195-199; Bogart, pp. 140-163.
 Social life in the United States in 1800: Channing, Vol. IV, pp. 1-8; McMaster, Vol. II, pp. 538-582.
 Downfall of Federalism: Schouler, Vol. I, pp. 510-514.
 French Revolution: Robinson and Beard, Vol. I, pp. 224-247; Gordy, Vol. I, pp. 159-199.
 John Adams: Stanwood, Vol. I, pp. 43-53.
 Internal conditions; 1795-1819: Van Metre, pp. 222-251.

¹ With the view of preventing such disputes as arose at this time, the adoption of the Twelfth Amendment was secured in 1804. By this amendment the election of the President is made entirely distinct from the election of the Vice-President.

X

JEFFERSONIAN DEMOCRACY

JEFFERSON'S INAUGURATION

IT was a striking coincidence that the inauguration of Jefferson, marking as it did the beginning of a new era in the political life of the nation, should be the first one to occur in the new home of the Government on the banks of the Potomac. The removal of the Federal offices from Philadelphia to Washington had taken place in June, 1800; and Congress had met there for the first time in December of that year.

The city which is now the pride of the nation was in 1800 a mere village. The President's home, the White House, was in an open field and was hardly fit for occupancy. The unfinished Capitol stood in a forest, and the streets were nothing more than roads cut through the woods. On what is now Pennsylvania Avenue boys were still shooting partridges and squirrels. The famous avenue itself was scarcely more than a footway through bushes and briars. From the site of the Capitol it was possible to look over the country for miles and see only a few lime-kilns, a few huts of laborers, and long stretches of forest. There were no good hotels in Washington, the streets were unpaved, and most of the conveniences and comforts of life were lacking. It is said that upon one occasion President Jefferson could not obtain for love or money a man to cut wood to burn in the fireplaces of the White House.

The City of
Washington
in 1800

These primitive surroundings were not distasteful to the newly-elected President, and the ceremonies of his inauguration were in perfect harmony with the environment. A half royal dignity had characterized the inaugurations of Washington and Adams. But in a forest village pomp and splendor were out of the question. Jefferson, therefore, of necessity was inducted into office in a plain and simple manner, just as he desired to be. "He came," said a British diplomat then residing in Washington, "from his own lodgings to the House where the Congress convenes and which

Jeffersonian
Simplicity

goes by the name of the Capitol, on foot, in his ordinary dress, escorted by a body of militia artillery from the neighboring State, and accompanied by the Secretaries of the Navy and Treasury and a number of his political friends in the House of Representatives. He was received by Mr. Burr, the Vice-President,—who was previously admitted to the chair of the Senate—and was afterward complimented at his own lodgings by the very few foreign agents who reside at this place, by the members of Congress, and other public officials.” Thus while the inauguration was a simple affair it was attended by as much ceremony and form as were in keeping with the character of the surroundings.

Jefferson felt—and he was justified in so feeling—that he was the leader of a great movement in popular government. In his inaugural address he gave a complete summary of his political faith and in compact and incisive fashion stated the principles of the policy he meant to pursue. The address took its place as a state paper which for a long time was almost as well known as the Constitution itself. Its text, with slight and unimportant omissions, is as follows:

JEFFERSON'S FIRST INAUGURAL ADDRESS

Friends and Fellow-Citizens: . . .

During the contest of opinion through which we have passed, the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely, and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the Constitution, all will of course arrange themselves under the will of the law, and unite in common efforts for the common good. All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression. Let us, then, fellow-citizens, unite with one heart and one mind, let us restore to social intercourse that harmony and affection without which liberty, and even life itself, are but dreary things. And let us reflect, that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotic as wicked, and capable of as bitter and



From the painting by Charles Wesley Jarvis

Th. Jefferson

bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be felt and feared by some, and less by others; and should divide opinions as to measures of safety; but every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans; we are all Federalists. If there be any among us who would wish to dissolve this Union, or to change its Republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know, indeed, that some honest men fear that a Republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experience, abandon a government which has so far kept us free and firm, on the theoretic and visionary fear, that this government, the world's best hope, may, by possibility, want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one, where every man, at the call of the law, would fly to the standard of the law, and would meet the invasions of the public order as his own personal concern. Sometimes it is said, that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or, have we found angels in the form of kings, to govern him? Let history answer this question.

Let us, then, with courage and confidence, pursue our own Federal and Republican principles; our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one-quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisition of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and our sense of them; enlightened by a benign religion, professed indeed and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter; with all these blessings, what more is

necessary to make us a happy and prosperous nation? Still one thing more, fellow-citizens, a wise and frugal government which shall restrain men from injuring one another, shall leave them free to regulate their own pursuit of industry and improvement, and shall not take from the mouth the bread it has earned. This is the sum of good government; and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently, those which ought to shape its administration. I shall compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-Republican tendencies; the preservation of the general government in its whole constitutional vigor, as the sheet-anchor of our peace at home, and safety abroad; a jealous care of the right of election by the people, a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principle of the republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor might be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information, and arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; and freedom of person, under the protection of the habeas corpus; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages, and blood of our heroes, have been devoted to their attainment; they should be the creed of our political faith, the text of civic instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our

steps, and to regain the road which alone leads to peace, liberty, and safety. . . .

CHAP.
X

ORGANIZATION AND MEASURES

To aid him in carrying his political theories into effect Jefferson surrounded himself with sympathetic advisers. In forming his cabinet he chose men of his own political faith. As head of two of the great departments he selected at once James Madison as secretary of state and Henry Dearborn of Massachusetts as secretary of war. In a short time Albert Gallatin of Pennsylvania was chosen secretary of the treasury. A secretary of the navy was so hard to find that at one time Jefferson thought he would have to advertise in the newspapers for a man. Finally, however, Robert Smith of Maryland accepted the place. Levi Lincoln of Massachusetts was chosen attorney-general. Dearborn, Smith, and Lincoln in talents were hardly above the grade of respectable mediocrity, but Madison and Gallatin were masterful leaders. Next to Jefferson himself, Madison was the ablest member of the Republican party, while Gallatin was one of the greatest financiers of the age. Notwithstanding the great abilities of the new President, the new secretary of state, and the new secretary of the treasury, they were regarded by Federalists as dangerous men. In 1796 Oliver Wolcott said: "The influence of Gallatin, Madison, and Jefferson must be diminished or the public affairs will be brought to a standstill." Yet five years later these three men assumed control of the Government and for eight years they ruled the country.

Jefferson's
Cabinet

With these cabinet officers Jefferson conferred freely. Under our system the cabinet has no real power and no constitutional function. The President is not bound to follow the advice of his ministers nor is he under any positive injunction to ask or require their advice. But Jefferson habitually took counsel with his cabinet and relied quite implicitly upon its decisions. When a question came up of sufficient magnitude to require the opinions of the heads of departments he called them together, had the subject discussed, and when a vote was taken counted himself but one. The result of this method was to clothe the cabinet with considerable power; in fact, with more power than was pleasing to the Federalists. Josiah Quincy in 1813 said on the floor of Congress: "It is a curious fact that for these twelve years past the affairs of this country have been managed and its fortunes reversed under the

Taking
Counsel
with His
Cabinet

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influence of a Cabinet little less than despotic, composed to all efficient purposes of two Virginians and a foreigner [Gallatin]. During the whole period the measures distinctly recommended have been adopted by the two Houses of Congress with as much uniformity and with as little modification, too, as the measures of the British have been adopted during the same period by the British Parliament."

Patronage

More annoying than the task of forming a cabinet was the duty of making appointments to the inferior offices. At the close of the Presidency of Adams nearly all the offices were in the hands of the Federalists. Jefferson determined that this monopoly should not continue. He contended that the majority which had just ridden into power should participate in the Federal patronage as a matter of right. "But how," he asked, "are vacancies to be obtained? Those by death are few, by resignation none. Can any other mode than that of removal be proposed? It would have been to me a circumstance of great relief had I found a moderate participation of office in the hands of the minority. I would gladly have left time and accident to raise them to their just share. But their total exclusion calls for prompt correction. I shall correct the procedure; but that done, return with joy to that state of things where the only question concerning a candidate shall be, is he honest? is he capable? is he faithful to the Constitution?" Jefferson aimed to swing the ax with moderation and justice, yet by the time he was through a great many heads had fallen. Within two years after his inauguration only 130 offices subject to his appointment out of a total of 316 were held by Federalists.

A Written
Message

When in December, 1801, the time came for Jefferson to communicate with Congress, he sent a written message to that body instead of appearing in person as his predecessors had done. During the administrations of Washington and Adams the communications of the President with Congress had been attended by a great deal of ceremony. There had been a cavalcade, an oration by the President, a procession of the members of Congress, and an address of reply. The reasons given by Jefferson for abolishing the old ceremony were the convenience of Congress, the economy of their time, and his desire to relieve them from the embarrassment of making replies to questions relating to matters not yet fully before them. His method was regarded as in keeping with Republican simplicity and the example set by him was followed by his

successors until President Wilson in 1913 reverted to the practice of appearing before Congress in person. CHAP.
X

In his first message Jefferson, passing lightly over foreign matters, for these at the particular moment happened to be in a fairly satisfactory condition, dwelt mainly upon subjects of domestic administration. He asked the repeal of the unpopular internal taxes which he detested as tyrannous; he recommended the payment of the public debt and a retrenchment in Federal expenditures; he urged the enactment of a more favorable law of naturalization, asking the question, "Shall oppressed humanity find no asylum on this globe?" and suggested that a revision of the judiciary system might be found to be desirable.

Since the Republicans had a good working majority in both branches of Congress, most of the legislation proposed by Jefferson was enacted. The hateful whisky tax¹ was repealed and customs duties were left as the principal source of revenue. Provision was made for a rapid reduction of the national debt, and the budget of the Federal Government was greatly reduced, the net ordinary expenses of nearly \$7,500,000 for 1800 being brought down to less than \$5,000,000 for 1801. In making this retrenchment—and it was not easy to make—Jefferson set the rare example of living up to his pretensions. The recommendation for a more favorable naturalization law was acted upon, and the term of residence required before an alien could become a citizen was shortened from fourteen years to five. The chief struggle in Congress was over the revision of the Judiciary Act. In the very last days of the administration of Adams Congress had reorganized the Federal judiciary, providing for the appointment of sixteen additional Federal judges. These judges, all of them Federalists, were appointed by Adams in the closing hours of his term. Jefferson's heart was set upon unseating the new judges; for he regarded them as useless, and he felt, besides, that Adams ought to have left their appointment to the incoming President. The debate in Congress over the repeal of the Judiciary Act was long and bitter, but in the end Jefferson had his way: the act creating the new federal courts was repealed, and with the repeal the judges lost their places. At this session of Congress also a new copyright law was passed, a Congressional library was established, and provision was made for the establishment of a military academy at West Point.

Jeffersonian
Measures

¹ See p. 159.

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Jeffersonian
Measures

¹ See p. 159.

These measures received the approbation of the people and were to Jefferson a source of satisfaction and pride. "The session of the first Congress convened since Republicanism has recovered its ascendancy is now drawing to a close," he wrote. "They will completely fulfil all the desires of the people. They have reduced the army and navy to what is barely necessary. They are disarming Executive patronage and preponderance by putting down one-half the offices of the United States, which are no longer necessary. They have lopped off a parasite limb, planted by their predecessors on the judiciary body for party purposes; they are opening the door of hospitality to agitators from the oppression of other countries; and we have suppressed all these public forms and ceremonies which tended to familiarize the public eye to the harbingers of another form of government."

THE TRIPOLITAN WAR

At the opening of Jefferson's administration the foreign relations of the United States were in a more prosperous condition than they had been for many a day. Under the operations of Jay's Treaty our carrying trade was assuming vast proportions. The trouble with France had been allayed by the treaty recently negotiated by Adams.¹ The great powers of Europe were growing tired of the war which had been raging since 1793 and one by one were making peace with Napoleon. After the Peace of Lunéville in 1801, England was left alone to contend with France. In March, 1802, even British hostilities were brought to a standstill by the Treaty of Amiens, and Europe had a respite from strife.

Jefferson would have been delighted if Amiens had brought to Europe and to the world a lasting peace. For peace was his passion. "It ought," he said, "to be supplicated from Heaven by the prayers of the whole world that at length there may be on earth peace and good will toward men." Preparation for war on a large scale was repugnant to Jefferson, and in his opinion was repugnant to the desires of the American people. "The spirit of this country," he said, "is totally adverse to a large military." Accordingly he reduced the regular army to the almost ridiculous size of 3,000 men, while the annual appropriation for the army and navy combined was reduced to less than \$2,000,000.

¹ See p. 178.

But in conducting the affairs of government statesmen are confronted by conditions, not by theories. This fact Jefferson realized when he was called upon to deal with the pirates of the Mediterranean. For centuries it had been the custom of the little states of northern Africa to plunder the commerce of any nation trading in the Mediterranean unless immunity was purchased by payment of tribute. Strange to say, many of the proud and powerful nations of Europe had found it more convenient to pay tribute than to fight. The United States at first followed the example of other nations, paying annually a sum of money for the sake of peace. Early in Jefferson's administration the pirates demanded an additional sum for *keeping* the peace, pretending that the money that had been paid before was for *making* peace. This was carrying the exactions too far even for the peace-loving Jefferson, who after all was not for peace at any price. "When wrongs," he said, "are pressed because it is believed they will be borne, resistance becomes morality." Abandoning his pacific policy Jefferson determined to fight rather than to pay the tribute. The little navy was strengthened and sent in 1801 against Tripoli, the most offensive of the piratical states. The war, which was marked by many splendid deeds of courage on the part of the Americans, came to an end in 1804, when a treaty of peace was made which relieved American vessels from paying further tribute.

CHAP.
XThe War
with
Tripoli

THE GREAT EXPANSION

While Jefferson was defending our commerce against the pirates in the far-off Mediterranean he was called upon to uphold the interests of American trade nearer home. It will be remembered that by a treaty made in 1795 Spain had given the people of the West the right to land goods at New Orleans and transfer them to ocean-going vessels.¹ In flagrant violation of this treaty the Spanish authorities in 1802 closed the navigation of the Mississippi to American citizens. This meant virtually that the industrial life of America west of the Alleghanies was at the mercy of the king of Spain. For Americans in the Ohio Valley could no longer take the products of their farms down to New Orleans and there sell them, as they had been accustomed to do. The closing of the Mississippi, therefore, prevented the produce of about three eighths

The Closing
of the
Mississippi¹ See p. 159.

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of our territory from finding a natural outlet. Indeed, without the Mississippi, Americans in the Ohio Valley would have no outlet at all, for as yet it was impracticable to carry heavy articles eastward over the mountains to the seaboard cities. No wonder then that when the Western people heard what Spain had done they flew into a rage and threatened to march against New Orleans with their own troops if the Government at Washington did not come to their aid.

The
Cession of
Louisiana
to France

They might have known that Jefferson would come to their aid, for no man in America was more keenly alive to the interests of the West. But the relief which was brought to them came in a way they did not expect. In 1800, six months before Jefferson was inaugurated, Spain, by the Treaty of San Ildefonso, had ceded Louisiana back to France. The retrocession was made in secret, and Jefferson did not hear of it until the summer of 1801. The execution of the treaty, however, moved very slowly. Jefferson was glad that it did move slowly, for delay gave him time to deal with the important question raised by the retrocession. He did not want France to have Louisiana. As long as a weak and exhausted nation like Spain held the country west of the Mississippi, the United States had little to fear; but if France, then powerful and aggressive, and dominated by the ambitious Napoleon, should take possession of Louisiana, Americans in the West might well be alarmed, for the design of Napoleon was to reëstablish the French power and French institutions on the American continent as a counterpoise against Anglo-Saxon civilization. Jefferson was aware of Napoleon's designs, and so strong was his opposition to the transfer that he determined to call upon England to aid in preventing the retrocession, if such a step should prove to be necessary. "The day that France takes possession of New Orleans," he wrote in 1802, "fixes the sentence which is to retain her forever within her low-water mark. It seals the union of two nations [Great Britain and the United States] who in conjunction can maintain exclusive possession of the ocean. From the moment we must marry ourselves to the British fleet and nation." Jefferson could put heart into his plans for thwarting Napoleon, for he regarded the French ruler as an unprincipled tyrant and held him in utter detestation.

Monroe and
Livingston

The President was supported in his opposition to the retrocession by practically the entire nation, by Federalists as well as by Republicans. The Federalists were for immediate action, and for

measures that would almost certainly lead to war with France. Jefferson desired to accomplish his purposes through the peaceful agencies of diplomacy, for the essence of his statesmanship lay in peace. He meant that there should be no war with France, and he believed that the protracted negotiations between Spain and France were favorable to his plans. But the outrage of closing the navigation of the Mississippi accelerated the President's movements. When he heard that the Spanish intendant, who was still in control of Louisiana, had withdrawn the privilege of deposit at New Orleans, he hurried James Monroe off to Paris to assist the American minister, Robert Livingston, in "enlarging and more effectively securing our rights in the Mississippi and in the territory eastward thereof." Monroe and Livingston were instructed either to buy New Orleans and the Floridas outright, or, if such a purchase could not be made, to secure the right of deposit at New Orleans. But before Monroe reached Paris, England and France were again at war with each other, for the Treaty of Amiens was hardly more than a truce: "the irritable ambitions of the two implacable rivals would not suffer either to rest upon a drawn victory." After the renewal of hostilities, Napoleon reluctantly relinquished his plans for American colonization. Fearing that Louisiana would fall into the hands of England, and needing more money to carry on his wars, he determined to sell Louisiana outright to the United States and directed his ministers to negotiate an immediate sale.

Monroe and Livingston quickly made known their willingness to buy. They were without specific authority to make such a purchase, yet they decided to assume the responsibility of going beyond their instructions. They entered into negotiations for a purchase, and after haggling for a week over the price they succeeded in April, 1803, in concluding a treaty by which France ceded to the United States the whole territory of Louisiana, "forever and in full sovereignty." The price paid for the province was \$15,000,000, a sum that Gallatin was able to pay without calling upon Congress to levy an extra cent of taxation.

In no other treaty made by our Government did the United States ever get so much for so little. Out of the area included in the purchase have been carved in their entirety the States of Louisiana, Missouri, Arkansas, Iowa, Kansas, Nebraska, North Dakota, South Dakota, and parts of Minnesota, Colorado, Montana, Wyoming, and Oklahoma. When Jefferson heard what Monroe and Living-

voted that Chase should be impeached, the Senate voted to sustain the impeachment of another Federal judge, John Pickering. The attack upon the judiciary—if it was an attack—filled the breasts of Federalist leaders with such dismay that some of them could find recourse only in desperate measures. A group of New England senators and representatives secretly undertook in a tentative way to form a “Northern Confederacy,” which was to include the New England States, New York and New Jersey. The chief hope of the incipient conspirators lay in New York, and in order to secure the adherence of that State they turned to Aaron Burr as their leader. But “this Mephistopheles of politics” disappointed them in their hopes. In the spring of 1804, Burr ran as candidate for governor of New York. The plan of the conspirators was to throw the Federalist vote of the State to Burr. But Hamilton strongly opposed Burr’s election. Hamilton hated Jeffersonian democracy as bitterly as the New England Federalists hated it, but he was against the disruption of the Union. “Dismemberment of our empire,” he said in the last letter he ever wrote, “will be a clear sacrifice of great positive advantages, without any counterbalancing good; administering no relief to our real disease, which is democracy, the poison of which, by a subdivision, will only be the more concentrated in each part, and consequently the more virulent.” But these dismal forebodings were groundless. Burr went down in defeat, with the result that the hopes of the “Northern Confederacy” were shattered.

The animosities of the gubernatorial campaign in New York led to a duel between Burr and Hamilton. Smarting under defeat, Burr called upon Hamilton to make good the charges against his character, using language that meant a challenge to a duel. Hamilton accepted the challenge. The duel which followed is thus described by Henry Adams: “Early in the morning of July 11 [1804], in the brilliant sunlight of a hot summer morning the two men were rowed to the duelling-ground across the river, under the rocky heights of the Weehawken, and were placed by their seconds face to face. Had Hamilton acted with the energy of conviction, he would have met Burr in his own spirit; but throughout this affair Hamilton showed want of will. He allowed himself to be drawn into a duel, but instead of killing Burr he invited Burr to kill him. In the paper Hamilton left for his justification he declared the intention to throw away his first fire. He did so. Burr’s

bullet passed through Hamilton's body. The next day he was dead."¹

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X

With Hamilton gone the distress of the Federalists grew deeper, for they felt that the last prop of their party had been taken away. Yet the fortunes of the Federalists would hardly have improved even if Hamilton's life had been spared; for the great man was no longer in sympathy with his time, and his influence was on the wane. "What better can I do," he asked bitterly in 1802, "than withdraw from the scene? Every day proves to me more and more that this American world was not made for me." Hamilton's work was done when he fell; and a great work it was. "A grand impulse to our national system, with consolidation as the corrective of a confederacy; liberal national powers; protection, force, and energy in the central government; financial stability—these were Hamilton's great legacy to the American Union."

Hamilton's
Legacy to
the Union

The low condition to which the Federalist party had fallen was fully revealed in the Presidential election of 1804. In that year for the first time the Republicans in the Congressional caucus nominated their candidate openly. There was really no need for a caucus, for all were in favor of Jefferson, who was nominated unanimously. The Federalists agreed to support Charles Cotesworth Pinckney of South Carolina for President, although how the agreement was reached it is almost impossible to say, so secret were the proceedings of the party leaders. The result was an overwhelming victory for Jefferson. Desertion overtook Pinckney in his own State and even in the Federalist strongholds of New Hampshire and Massachusetts. Only the electoral votes of Connecticut and Delaware and two votes from Maryland were cast for the Federalist candidate. Jefferson received 162 electoral votes and Pinckney fourteen.

The
Reflection
of
Jefferson

¹The indignation against Burr was so strong that he was forced to leave New York and find temporary refuge in South Carolina. Later, however, he returned to Washington and completed his term as Vice-President. He then went West, where the duel was regarded largely as an "affair of honor" and where he was more highly regarded. While in the West he entered into a plot to form a new nation somewhere in the western country with himself as President. Jefferson kept himself fully informed of what Burr was trying to do, and in 1807 he caused the schemer to be arrested and brought to trial on a charge of treason against his country. The Government failed to convict him, and he was released.

Suggested Readings

- National capital: McMaster, Vol. II, pp. 482-489.
Louisiana Purchase: Ogg, pp. 495-538; Gordy, Vol. I, pp. 421-438.
First administration of Thomas Jefferson: Schouler, Vol. I, pp. 1-96.
Jefferson-Burr contest: Stanwood, Vol. I, p. 73.
Jefferson and his cabinet: Gordy, Vol. I, pp. 383-397.
The "Northern Confederacy": Gordy, Vol. I, pp. 439-459.
Embargo: Gordy, Vol. I, pp. 541-575.
Commercial warfare: Channing, Vol. IV, pp. 379-402.

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THE STRUGGLE FOR COMMERCIAL FREEDOM

JEFFERSON'S first term was crowded with successes, but throughout his second term he encountered stormy seas and met with disappointments and failures. His troubles grew out of the conflict which was raging in Europe and were similar to those which beset Washington and Adams while they were maintaining the policy of neutrality. They were, indeed, of the kind which confronted President Wilson after the outbreak of the World War. "The situation during Jefferson's second administration," says Professor Latané, "was so similar to that from 1914 to 1917 that with the change of a few names and dates the letters prepared by Jefferson and Madison might almost pass for those prepared by Wilson and Lansing."

DEPREDACTIONS UPON AMERICAN COMMERCE

When the flames of war were lighted up again after the futile attempt of the Treaty of Amiens to extinguish them, Jefferson decided to follow the example of his predecessors. He marked out for himself and for the country a course of strict neutrality. "In the course of this conflict," he said to Congress in 1803, "let it be our endeavor as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to exact from every nation the observance toward our vessels and citizens of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong."

Jefferson
Adheres
to the
Policy of
Neutrality

These were as sincere words as were ever penned by a statesman, and for the immediate situation they were timely and wise. But

Depreda-
tions upon
American
Commerce

soon Jefferson found that maxims of philanthropy and pacific intentions would not meet the difficulties which were arising; for the more desperate became the death grapple between Great Britain and France, the more stringent became the policy of Great Britain toward neutral shipping and the more harmful were the retaliations of France. In their treatment of neutrals France and Great Britain went as far toward the total prohibition and destruction of ocean trade as it was possible to go. As early as December, 1805, Jefferson thus described the depredations which were being made upon our commerce: "Our coasts have been infested and our harbors watched by private armed vessels, some of these without commissions, some with legal commissions, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbors as well as on the high-seas, not only the vessels of our friends coming to trade with us, but our own also. They have carried them off under pretense of legal adjudicature, but not daring to affront a court of justice they have plundered and sunk by the way, maltreating the crews and abandoning them in boats in the open sea or on desert shores without food or covering."

But when Jefferson made this complaint the aggressions had only begun. A year later, in December, 1806, Napoleon, who, after the battles of Austerlitz and Jena, had become supreme on the Continent, issued his extraordinary Berlin Decree, which declared the British Islands in a state of blockade; prohibited all intercourse with them; decreed that all merchandise coming from them was good prize; and declared that no ship which had touched at an English port should be admitted into the ports of France or of those countries in alliance with her. Great Britain, who after Nelson's great victory at Trafalgar had become the undisputed mistress of the seas, replied to Napoleon in January, 1807, with an Order in Council which prohibited all neutral trade between two ports both of which were in possession of France or any of her allies. In November followed another Order in Council prohibiting all trade with ports from which the British flag was excluded unless the vessel should first call at a British port, pay customs duties upon her cargo, and obtain a fresh clearance. The demand that our country should pay taxes into the British treasury was in the highest degree exasperating, for to accede to it was to condone a flagitious attack upon the very sovereignty of the United States.

But Napoleon declared that he would make war upon the universe rather than yield to the pretensions of England. To the Order in Council of November he rejoined by a decree issued at Milan on December 17, 1807, threatening confiscation to every ship that should pay any duty to the British Government or that should sail from or to any British port anywhere in the world.

These decrees and orders taken together were so broad and sweeping that they amounted virtually to a declaration that every neutral vessel found on the high seas, whatever might be its cargo, and whatever might be the place of departure or destination, could be lawfully captured as a prize of war. Thus American shipping was ground between two millstones. Our loss was the greatest because we were the greatest neutral carrying power. Between 1803 and 1812, more than 900 American vessels were captured by the British, while more than 500 were captured by the French.

THE IMPRESSMENT OF SEAMEN

Serious as were these depredations upon our commerce, they did not create as much excitement and resentment as were created by the impressment of American seamen. In order to maintain her mastery of the sea it was necessary for Great Britain to have a larger number of sailors than she had ever had before. She found that as her demand for seamen grew the supply actually diminished; for as the American ocean trade increased American ships offered employment to more British seamen, with the result that at the very time that England was struggling for her existence thousands of her sailors deserted every year to serve on American vessels, where they received better pay, better food, and better treatment. These deserters usually obtained naturalization papers and became American citizens. But England would not consent to the loss of her sailors. Like many other nations she refused to recognize the right of expatriation, her doctrine being, "Once an Englishman, always an Englishman." Relying on this principle, she asserted the right to reclaim her seamen by the rough process of impressment.

In carrying out her policy of impressment England acted in a high-handed manner. "She made no demand," says Schouler, "for her deserting seamen. On the contrary, she used force and exercised a discretion of her own, which led to the greatest abuse.

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"Once an
Englishman
Always an
English-
man"

England's
High-
handed
Action

to much. "On the subject of treaties," he wrote in 1804, "our system is to have none with any nation as far as can be avoided. We believe that with nations as with individuals, dealings may be carried on as advantageously, perhaps more so, while their continuance depends on a voluntary good treatment, as if fixed by a contract which, when it becomes injurious to either, is made by forced constructions to mean what suits them, and becomes a bond of war instead of a bond of peace."

After the failure of the treaty negotiations Jefferson felt there was nothing left but his cherished policy of commercial restriction. And presently it became necessary for him to give that policy its fullest scope, for the British Orders in Council and the French decrees had brought matters to such a pass that drastic action was necessary. In December, 1807, eight days after the Non-importation Act became effective, Jefferson, in a message which set forth the dangers that beset American ships and their merchandise, asked Congress for a law prohibiting the departure of our vessels from the ports of the United States. Congress responded by passing the Embargo Act. Under the terms of this act, which went into effect immediately upon its passage, no registered vessel could leave an American port without giving a heavy bond that she would land her cargo in some port of the United States.

It was Jefferson's hope that the embargo would cripple the trade of England, and that its results would be felt so keenly by British merchants and laborers that Parliament would be driven to redress the many grievances of which Americans complained. But in this hope he was disappointed; for while the embargo inflicted considerable loss upon the manufacturing industries of England, in other directions it was a source of actual gain. It was helpful to British ship-owners, for with no American ships on the ocean they were secure in their monopoly of the carrying trade; it was helpful to British landowners, because it had the effect of increasing the price of their grain; and it was helpful to the British navy, for it drove into the service of England thousands of American sailors who could no longer find employment in their own country.

And what effect did Jefferson's economic war have at home? The embargo virtually destroyed American foreign trade. The value of our exports dropped in a single year from \$110,000,000 to \$22,000,000, while our customs revenue fell from \$16,000,000 to \$7,000,000. The ravages of economic warfare were visible along

the entire seaboard. John Lambert, an English traveler, gives the following description of the results of economic warfare as they were seen in the city of New York: "The port, indeed, was full of shipping, but they were dismantled and laid up. Their decks were cleared, their hatches fastened down, and scarcely a sailor was to be found on board. Not a bale, cask, barrel, or package was to be seen on the wharves. The few merchants, clerks, porters, and laborers that were to be seen were walking about with their hands in their pockets. A few coasting ships which were clearing for some of the ports of the United States were all that remained of that immense business which was carried on a few months before. The streets near the waterside were almost deserted, the grass had begun to grow up on the wharves."

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The effects of the Embargo Act were so disastrous that, to Jefferson's great sorrow, it had to be repealed fourteen months after it was enacted. In its place was substituted the Non-intercourse Act of 1809. This forbade American vessels to trade with England and France, but permitted them to trade with other nations. Should France, however, revoke her decrees, or Great Britain rescind her Orders in Council, the law might be suspended and trade renewed by proclamation of the President. The Non-intercourse Act had two desirable features which the Embargo Act did not possess. It put France and Great Britain under the same ban, thus refuting the charge made by the Federalists that the administration was in league with France; and it gave to each nation an opportunity to enter upon peaceful trade relations with the United States at any moment it should choose to respect American rights.

The Non-
intercourse
Act

JEFFERSON'S RETIREMENT

Three days after Jefferson signed the Non-intercourse Act his second term came to an end. As early as 1805, he had determined not to be a candidate for a third term. Had he desired reelection, however, in 1808, there is no doubt that he would have been the choice of the voters. But rotation in office was one of the cardinal points of Jeffersonian doctrine. "There are in our country," he had said in 1807, "a great number of characters equal to the management of the affairs of the Presidency. Many of them, indeed, have not had the opportunities of making themselves known to their fellow citizens, but many have had, and the only difficulty will be

Rotation
in Office

to choose among them. These changes are necessary to the security of republican government. If some period be not fixed either by the Constitution or practice, to the services of the first magistrate, his office, though nominally elective, will in fact be for life, and that will soon degenerate into an inheritance." Jefferson, accordingly, followed the example set by Washington, and refused a third term.

For more than thirty years before his retirement to private life, and for many years after, Jefferson was America's political teacher. What were the lessons learned from the great master? Schouler has summed them up as follows: "Liberal education, liberal politics, liberal religion; a free press; America for Americans; faith in the simple arts of peace, in science, and material progress, in popular rule, in honesty, in government economies; no king, no caste, room for the oppressed of all climes; hostility to monopolies; the divorce of government from banks, from pet corporations, and from every form of paternalism; foreign friendship and intercourse without foreign alliances; the gradual propagation of republican ideas on the western hemisphere while gently forcing Europe out; meagre force establishments, meagre preparation for war in times of peace; a leaning towards militia and State volunteers for defense in emergencies rather than dependence upon national troops and pretorian guards; father of the indefinite expansion of the Union, and of the practice of self-government upon this continent; all these—though others inculcated some of these maxims—is Jeffersonianism."

At the close of his official career Jefferson was still the undisputed leader of his party. In the Presidential election of 1808 he could name the Republican candidate, and he did so. His choice fell upon his secretary of state, James Madison, who by every consideration of merit, experience, and party service was entitled to promotion. In accordance with Jefferson's desires the Republican caucus, consisting of eighty-nine senators and representatives, nominated Madison, casting for him eighty-three votes, three of the votes having been thrown to George Clinton, of New York, and three to James Monroe. The announcement of the action of the caucus was made in the form of a resolution which declared "that in making the foregoing recommendation the members of this meeting have acted only in their individual character as citizens." Among the friends of Monroe and also among those of Clinton there

was considerable dissatisfaction with the action of the caucus; but party discipline prevailed. As a result of the election Madison received 122 electoral votes. The Federalist candidate, C. C. Pinckney of South Carolina, received forty-seven votes. In the Congressional elections enough Republicans were elected to give the administration a working majority in both houses of Congress. So Jefferson left his party fully entrenched in power.

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DRIFTING TOWARDS WAR

When Madison came to the Presidency on March 4, 1809, France and England were still at war and the shipping of the United States was still suffering at the hands of these rival powers. The new President was in full accord with the policy of commercial restriction which he inherited from his predecessor. In his inaugural address Madison said that in all cases he preferred "amicable discussions and reasonable accommodation of differences to a decision of them by an appeal to arms." For a moment it seemed that with England at least an "accommodation of differences" would be possible. In April, 1809, David Erskine, the British minister at Washington, gave Madison to understand that the British Government would withdraw the Orders in Council, provided the American Government would permit intercourse between the two countries and refuse it to France. Relying upon Erskine's word Congress in special session in June, 1809, suspended the Non-intercourse Act in so far as it applied to England. When Madison announced the glad tidings that American shipping was again free a thousand vessels laden with wheat, rice, and cotton "spread their white wings like a flock of imprisoned birds and flew out to sea." But this freedom was short-lived, for quickly there came word from England that a mistake had been made, that Erskine had promised more than he had been authorized to promise, and that the arrangement he had made had been repudiated flatly by the British Government. After this disavowal Madison was obliged to issue another proclamation, announcing that the Non-intercourse Act was revived and that trade with Great Britain was again prohibited.

Erskine's
Mistake

The failure of the Erskine arrangement was followed by an attempt of Napoleon to direct American sentiment wholly against Great Britain. In August, 1810, the emperor authorized the for-

Non-inter-
course Act
Inoperative
in Respect
to France

eign minister of France to declare that the decrees of Berlin and Milan¹ were revoked; but he managed things so adroitly that it was almost impossible to determine whether the decrees against American commerce had been actually withdrawn. "No one here," said Jonathan Russel, our diplomatic representative in Paris, "except the Emperor knows if the Berlin and Milan decrees be absolutely revoked or not; and no one dares to inquire of him concerning them." Still, notwithstanding the uncertainty of Napoleon's position, Congress took it for granted that the French decrees had been withdrawn and repealed the Non-intercourse Act in so far as it applied to France. Madison now tried to persuade England to withdraw her Orders in Council; but she refused because she believed that the French decrees had not in fact been revoked and that Napoleon was not acting in good faith. While France was relieved of the restrictions of the Non-intercourse Act, therefore, England continued to be held by the terms of that law.

Neutrality
No Longer
Possible

Here was a turning-point in American policy; the neutral course toward both England and France could no longer be maintained. Either we must fight Great Britain or we must fight France. There was almost as much reason for fighting one country as the other. But it would have been almost impossible to wage war against France, for she presented no vulnerable point of attack. "War with France," said William Pinkney in 1810, "is about as practicable as war with the moon." In the selection of an antagonist, therefore, we chose Great Britain; and it is difficult to see how we could have done otherwise. The American Government was confronted by the hard fact that France had desisted nominally, at least, from her aggressions, and, in the opinion of our Government, substantially; while England had desisted neither nominally nor substantially. Moreover England gave no indication that she would mend her ways in the matter of impressments—the very matter that was the chief source of the animosity against her. That the animosity was great was no wonder, for in 1811 it was admitted on the floor of the House of Commons that as many as 1600 Americans had been dragged from the decks of American vessels and compelled to fight the battles of England.

Additional
Irritants

But impressments and seizures of vessels were not the only things that were dragging England and the United States into war. In 1811 on the frontier in the Northwest we were having a great deal

¹ See p. 200.

of trouble with the Indians—as we shall learn more fully hereafter,¹—and there was reason to believe that the discontent of the red men was fostered by British traders. William Henry Harrison, the governor of Indiana Territory, said in 1811, “Within the last three months the whole of the Indians on the frontier have been completely armed and equipped at the King’s stores at Malden.” Although there was no good reason for believing that the British Government directly assisted the Indians in their uprisings there was nevertheless a widespread belief in the United States that such assistance was given. Furthermore, diplomatic relations suffered a severe strain in 1811 when William Pinkney, our minister to Great Britain, left his post because he could see no prospect of securing fair treatment at the hands of the British Government. The withdrawal of Pinkney was almost equivalent to a severance of peaceful relations. To intensify the angry feelings between the two nations there occurred in August, 1811, an actual encounter between the American frigate *President* and the British ship *Little Belt*. In the encounter the British vessel was worsted.

The exultations over the success of the American ship in the “*Little Belt* affair” showed that the war spirit was rife. This spirit was quickly reflected in Congress, where a war party led by Henry Clay and John C. Calhoun took matters in hand and determined that the United States must prepare for war against England. Late in 1811 and early in 1812 bills were passed providing for substantial additions to the regular army, for raising a large number of volunteers, for calling out such militia detachments as might be needful, for fitting out all public vessels not already in service, and for allowing merchant vessels to arm. This last provision, the arming of merchant vessels and sending them out on their voyages with authority to defend themselves, was regarded by the British Government as virtually equivalent to a declaration of hostilities, because “it announced a system which if carried into practice must occasion acts of hostile violence as may tend to produce the calamity of war between two countries”—a view identical with one which was advanced on the floor of Congress in 1917 when it was proposed to arm our merchantmen and send them out, submarines or no submarines.

Madison was in favor of the preparations for war, but he did not want to fight. Indeed, his critics declared that he could not be

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The United
States
Prepares
for War

Madison
Yields to
the “War
Hawks”

¹ See p. 224.

kicked into a war. If he had had his way neutrality might in some way have been maintained. But he was not allowed to have his way. Clay and his "war hawks" wound the horn so loudly that the President was bound to harken. On June 1, 1812, Madison in a message recommended a declaration of war.¹ Congress on June 18 responded with a declaration that war existed between the United States and Great Britain. The grievances cited in the declaration were the violation of the American flag on the high seas; the blockading of our ports; the impressment of our seamen; the refusal of Great Britain to repeal the Orders in Council; and the Indian disturbances in the Northwest.

The Orders
in Council
Rescinded
Too Late

England did not welcome war with the United States, for there was much discontent among her people, and she was already staggering under the burdens of her European wars. And if there could have been cable communications the war in all probability would never have begun. Five days after Congress had declared war, and before Great Britain had heard of the declaration, her Government unconditionally rescinded the exasperating Orders in Council. But this action came too late; Congress, when it made its decision, was ignorant of England's intentions. When the news of the British action reached America the fighting had begun; and the "war hawks" were only too willing that it should continue.

THE WAR OF 1812

America
Unprepared

When war was declared we were in an almost wholly defenseless condition. This was to be expected, for the doctrines of Jefferson and Madison, and their practice as well, were at variance with a policy that would have established a condition of preparedness for war. Our little army of 6,000 men was scattered at posts along the western and northern frontiers where soldiers were needed as a defense against the Indians. Our navy consisted of about a dozen good fighting ships, while "Britannia ruled the wave" with nearly a thousand. "Our enemy," said a manifesto issued by members of Congress opposed to the war, "is the greatest maritime power that has been on earth and to her we offer the most tempting

¹At this time there was a great deal of political gossip to the effect that Madison was informed by party leaders that if he wished reelection he must come out for war. Whatever may have been the foundation for talk of this kind, Madison in 1812 was selected by the Congressional caucus as the candidate of the Republicans and was reelected.

prizes. Our rich cities lie along the Atlantic seaboard close to the water's edge. And to defend these from the cruisers of Great Britain we are to have an army of raw recruits yet to be raised and a navy of gunboats, now stranded on the beaches, and frigates that have long been rotting in the slime of the Potomac." Not only were we lacking in a fighting force, but we did not have the "sinews of war." Our national finances were in a deplorable condition owing to the fact that our revenues had been greatly reduced by the many interruptions to commerce during the preceding years. Still another unfortunate circumstance was the weakness of military leadership; nearly all our officers were old men who, although they had fought in the Revolution, had not commanded regiments on battle-fields.

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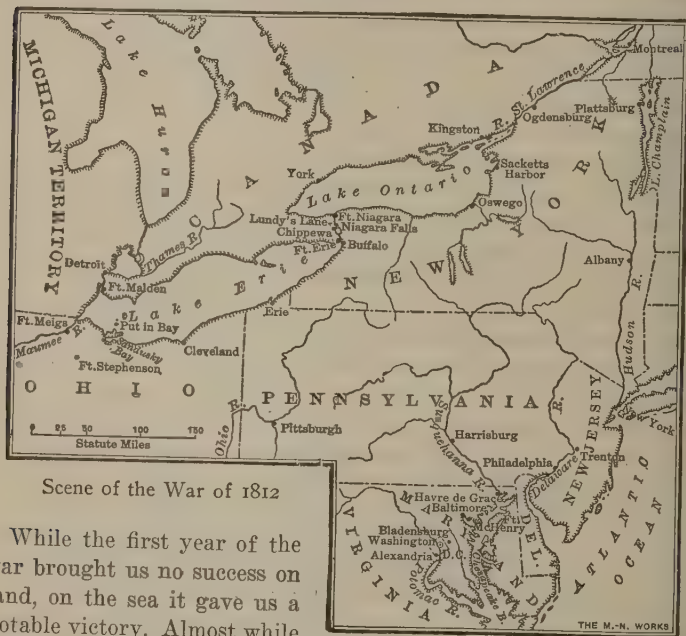
But even worse than this condition of unpreparedness was the divided sentiment of the country, a division which was described by John Quincy Adams in the following words: "In the Eastern States the opposition to the war was marked and virulent. Every one who dared to speak in defense of the administration was denounced in the most unmeasured terms, and curses and anathemas were liberally hurled from the pulpit on the heads of all those who aided, directly or indirectly, in carrying on the war. In the Middle and Southern States, public opinion was divided, though a large majority approved the measures adopted by Congress. But in the West there was only one sentiment; love of country sparkled in every eye, and animated every heart. The importing merchants, the lawyers in the principal cities, some planters, and the clergy for the most part, were numbered in the ranks of the opposition; and the war found its most ardent and enthusiastic advocates among the farmers and planters, the mechanics, the mariners, and the laboring men." In Massachusetts, Connecticut, and Rhode Island, the sentiment against the war was so strong that the quotas of soldiers which should have been sent from those States were flatly refused. One thing, however, was in our favor: Great Britain could not throw her full force against us; for in 1812 her mighty struggle with Napoleon was at its height.

The Nation
Divided in
Sentiment

The War of 1812 was for the most part a war in the woods. In but few instances was there fighting in the thickly settled portions of the country. The struggle opened in the wilds of Michigan and Canada. For some time the war party had been crying "On to Canada!" On July 12, therefore, immediately after the declara-

The
Beginning
of the
Struggle

tion of hostilities, General William Hull, who had served in the Revolution, crossed from Detroit into Canada with about 2,000 men, but in a few weeks he had retreated and had surrendered to General Brock, the governor of Canada. Michigan Territory quickly passed into the hands of the British, and it was only with difficulty that Ohio was saved. In a few months the Americans made a second attack upon Canada in the neighborhood of Niagara, but again the campaign was fruitless.



Scene of the War of 1812

A Notable
Victory
on the Sea

While the first year of the war brought us no success on land, on the sea it gave us a notable victory. Almost while Hull was surrendering at Detroit the American frigate *Constitution* was capturing off the Gulf of St. Lawrence the British frigate *Guerrière* after two hours of fighting of the fiercest kind. This triumph caused England to look with astonishment, for until the *Guerrière*'s colors were struck to the *Constitution*, a British frigate had never before been humiliated at sea. "On the day of that battle," says Charles Francis Adams, "this country became a nationality to be reckoned with."

This victory upon the ocean was followed by a remarkable achievement on the Great Lakes. England had a fleet of about a

Perry's
Triumph

dozen vessels in the upper Lakes; and the Americans under the leadership of Oliver Hazard Perry undertook to rid the Lakes of them. The American vessels had first to be built. The timber of the fleet was still standing in the woods, and the stores, canvas, and cordage were in the cities along the seaboard. But through deep snows, sleds and wagons brought the necessary materials to the shores of Lake Erie, where wood-choppers and ship carpenters were put to work. By July, 1813, five newly-built vessels were ready for fighting. Perry came upon the British at Put-in-Bay, off Sandusky, Ohio, and a hot battle followed. At one time Perry's own ship was about to sink. The young commander—he was only twenty-eight—made his way in a little boat to another vessel and kept up the fight until the British fleet raised the white flag. Perry announced his victory in the famous words: "We have met the enemy and they are ours: two ships, two brigs, one schooner, and one sloop." Perry's triumph saved Ohio from the British and made it easy for the Americans to regain control of Detroit and the Michigan country.

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In 1814 came the startling news that Napoleon's once invincible army had been shattered at Leipsic, and that the power of the great warrior had been broken. After the downfall of Napoleon England was free to send larger fleets and armies to America. She now planned for a double campaign: part of her strength was to be thrown against the North and a part against the South. A great number of the veterans who had been engaged in the Napoleonic wars were sent to the Canadian frontier. A strong invading force moved down Lake Champlain with the purpose of taking possession of the upper Hudson country. But Captain Thomas McDonough with an improvised fleet of gunboats met the invading squadron at Plattsburg and defeated it. The result of the battle at Plattsburg was to check and disperse 9,000 British veterans in the region of Lake Champlain.

McDon-
ough's at
Plattsburg

In 1814 also there was much fierce fighting in the neighborhood of Niagara Falls. Generals Jacob Brown and Winfield Scott, crossing into Canada on July 5, defeated the British at Chippewa Falls. A few days later at Lundy's Lane, where the roar of artillery was answered by the roar of the great falls near-by, the bloodiest battle of the war was fought, neither side winning a decisive victory. The Americans held their ground for a while and then withdrew from Canada. Thus the result of all the fighting

Lundy's
Lane

on the northern frontier was that the British failed to get a foothold upon American soil, while the Americans failed to make any headway in Canada.

Before entering upon the campaign at the South, the British by way of a diversion made several attacks at points along the Atlantic seaboard. In Virginia and Maryland they burned villages, bridges, and farm-houses and took from farmers their slaves and cattle and grain. In the summer of 1814 they led an army against Washington, still a village of only a few thousand inhabitants. After routing our militia at Bladensburg and driving the officers of the Government into the woods, they burned the Capitol and the President's mansion. Of the burning of Washington one of the greatest of England's historians says, "Few more shameful acts are recorded in our history: and it was the more shameful in that it was done under strict orders from the Government at home." A later British historian, however, declares that the burning was no wanton outrage, but was justifiable as a direct reprisal in kind for the burning of the village of York in Canada. A later American historian characterizes the burning of the Capitol as a "piece of pure, unmitigated vandalism."

Having accomplished their purposes at Washington, the British moved against Baltimore. Here they were less successful than they had been at the undefended capital. Baltimore was prepared for the attack. The guns at Fort McHenry would not allow the British to approach the city. All day and far into the night the British bombarded the fort but could not capture it. Francis Scott Key during the night had been watching the bombardment, and when in the morning he saw our flag still waving from the walls of the fort he was inspired to write "The Star-Spangled Banner." The British fleet, unable to pass the fort, abandoned the siege of Baltimore and sailed away.

In the last months of 1814, darkness, almost despair, was settling upon the American cause. There was disorder in the finances, demoralization in the army, and widespread dissatisfaction with the conduct of the war. "Sitting in the ashes of its former home, it did indeed seem that the Government must soon collapse." In an effort to build up the army the administration in December, 1814, came forward with a sweeping conscription measure; the entire free male population between the ages of eighteen and forty-five was to be compulsorily enrolled. But Congress was not pre-

pared for such drastic action. Daniel Webster, then a member of the House, threw his eloquence against the Conscription Bill, and during his entire lifetime he remembered with satisfaction the part he took in defeating it. In a speech he uttered the words so frequently quoted when the Selective Draft Act was before Congress in 1917: "The Administration asserts the right to fill the ranks of the regular army by compulsion. Is this, sir, consistent with the character of a free government? Is this civil liberty? Is this the real character of our Constitution? No, sir, indeed it is not. The people of this country have not established for themselves such a fabric of despotism." Upon the disagreement of the two houses the Conscription Bill was defeated.

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Dissatisfaction with the conduct of the war expressed itself in New England in a very ugly fashion. In December, 1814, a convention of twenty-six delegates from five New England States met at Hartford for the purpose of giving a voice to the discontent in New England at the progress of the war. After a long discussion behind closed doors the convention adjourned in January, 1814, having placed itself on record as favoring the doctrines enunciated in the Kentucky Resolutions.¹ In its report the convention strongly hinted that the time might come when the States would be justified in withdrawing from the Union. By this time it was becoming a habit with public men to resort to the threat of secession whenever the measures of the Federal Government conflicted with the interest of a region. Josiah Quincy of Massachusetts had made such a threat on the floor of the House of Representatives in 1811 when opposing the admission of Louisiana into the Union. "It is my deliberate opinion," said Quincy, "that if this bill passes the bonds of the Union are virtually dissolved; that the States which compose it are free from their obligations; and that as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation—amicably if they can, violently if they must." The doctrine of nullification was espoused by the Hartford Convention as well as the doctrine of secession. "Acts of Congress in violation of the Constitution," said the report, "are absolutely void and States that have no common umpire must be their own judges and execute their own decisions." A committee was sent by the convention to wait upon Congress and ask it for certain amendments to the Constitution, but by the time the com-

The
Hartford
Convention

¹ See p. 180.

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XI

mittee reached Washington the war was over. Accordingly, nothing was done by the committee and the work of the convention came to naught.

The British
Campaign
in the
South

While Congress was wrangling over the Conscription Bill and the Hartford Convention was holding its sessions the enemy was going ahead with his plans. After the unsuccessful attack upon Baltimore the British fleet sailed to the Gulf of Mexico and, joining with another British force, began its campaign in the South. It was the purpose of the British to unite with the Indians of the Gulf region and with the disaffected French and Spaniards and drive the Americans entirely out of Louisiana. But before the English were ready for operations in the South, General Andrew Jackson had marched against the Creeks, the most powerful of the Southern Indians, and had defeated them in battle after battle. Having thus broken completely the power of the Indians, Jackson seized Pensacola in order to head off the British at that point and promptly prepared to defend New Orleans against the impending attack. The advance upon New Orleans was begun late in 1814 when Sir Edward Pakenham with a fleet of fifty vessels and a force of nearly 10,000 veterans began to move against the city. Though Jackson had a much smaller force, there were among his men a great many excellent riflemen of Tennessee and Kentucky. After several skirmishes Pakenham made a last charge upon the Americans on January 8, 1815, but his men could not withstand the terrific fire of the riflemen. Whole platoons of the British fell in their tracks. The invaders lost their commander and were repelled with a loss of more than 2,000 men. The American loss was eight killed and thirteen wounded. Thus Louisiana was saved to the United States, and its savior, Andrew Jackson, became the great hero of the South and West.

The Battle
of New
OrleansThe Treaty
of Ghent

We have seen that if there had been cable communication the War of 1812 probably would never have had a beginning. Likewise if in 1815 there had been such a thing as a transoceanic telegraph the greatest battle of this war would never have been fought. Two weeks before the Battle of New Orleans, a treaty ending the war had been signed on December 24, 1814, by the belligerent nations at Ghent. The peace commissioners representing the United States at the beginning of the negotiations were under instruction to make the abandonment of impressments a *sine qua non* for a treaty. But when it was found that Great Britain would

not renounce impressment Monroe, the secretary of state, yielded, writing to the commission: "You may omit any stipulation on the subject of impressments, if found indispensably necessary to terminate it [the war]." The treaty accordingly settled nothing about impressment, the chief cause of the war. Indeed the Treaty of Ghent settled nothing of importance; it was simply an agreement to stop fighting. So far as outward and immediate results were concerned, the treaty left both nations at the end of the war precisely where they were at the beginning.

From a military point of view the War of 1812 was not a great event. The cost of the war during nearly three years of fighting was less than was spent in three days during the war with Germany. At no time were there more than 30,000 fighting men in the field, nor was there a single battle in which as many as 4,000 American soldiers engaged. The number of men killed in all the land battles did not exceed 1,600—about as many as were lost on the *Titanic*—and the number of wounded was less than 3,500.

Although the War of 1812 cost little in blood and treasure it nevertheless affected profoundly the course of American history. It gave us our commercial freedom. Although Great Britain made no concessions in regard to impressment and the rights of neutrality, she nevertheless after the Treaty of Ghent ceased to impress American seamen and desisted from interfering with our commerce; and other nations accorded us equal respect. After the War of 1812 we were done with Orders in Council and French decrees, and could work out our commercial destiny in peace: for more than a hundred years trade on the ocean was free and sailors' rights secure.

CHAP.
XIStatistics
of the WarResults
of the War

Suggested Readings

- Submission or war? Gordy, Vol. I, pp. 576-592.
 Beginnings of the War of 1812: Schouler, Vol. II, pp. 323-355.
 James Madison: Stanwood, Vol. I, pp. 86-105.
 Effects of the War of 1812: Coman, pp. 175-206.
 Napoleon Bonaparte: Robinson and Beard, Vol. I, pp. 284-298.
 War of 1812—geographical aspects: Semple, pp. 134-149.
 War along the Atlantic coast: McMaster, Vol. IV, pp. 121-155.

XII

TWENTY YEARS OF WONDROUS GROWTH (1800-20)

WITH the ending of the War of 1812 Americans turned their backs upon Europe and their faces to the West, where they could easily read the destinies of the rising nation. During the administrations of Jefferson and Madison the work of winning the West did not cease for a single day. Between 1800 and 1820 the stream of western migration flowed so fast that the population of the country beyond the Alleghanies increased nearly 2,000,000. Within this brief period half a million square miles of territory were rescued from barbarism and from the dominion of wild beasts and brought under the influence of American civilization. Never before in all history was such a stupendous change on the earth's surface made in such a short space of time.

THE LAND POLICY OF THE NATIONAL GOVERNMENT

The Land
Policy

The westward movement in these years was greatly accelerated by the liberal land policy of the National Government. At first Congress regarded the Western lands as a possession to be exploited solely with a view to revenue, and it disposed of them in very large tracts at the highest possible price. Under this earlier system nobody but the rich could buy. It was not long, however, before our statesmen began to regard the public domain as a national possession which ought to be used not so much for the benefit of the National Treasury as for the benefit of all the people. Accordingly in 1800 Congress, changing its policy, passed a law under which a settler might purchase a half-section of land—320 acres—at two dollars an acre and pay for it in four yearly instalments. In 1820 Congress, carrying its liberal policy even further, reduced the price to \$1.25 an acre and provided that lots as small as eighty acres might be purchased, thus making it possible for almost anybody, even the poorest, to become the owner of a little farm.

The National Government in 1810 had for sale more than 150,000,000 acres of good tillable land east of the Mississippi, and west of that river it had countless millions of acres more. Here was the secret not only of the strength and swiftness of the westward movement, but also of the strength and prosperity of the American nation during its formative period. The almost inexhaustible supply of public land, at a nominal price, made us from the beginning a nation of landholders. "The pride and delight of Americans," said Harriet Martineau, "is the quantity of land. The possession of land is the aim of all actions, generally speaking, and the cure for all social evils among men in the United States. If a man is disappointed in politics or love he goes and buys land. If he disgraces himself, he betakes himself to a lot in the West. If the demand for any article of manufacture slackens, the operatives drop into the unsettled lands. If a citizen's neighbors rise above him in the town he betakes himself where he can be monarch of all he surveys. An artisan works that he may die on land of his own. He is frugal that he may enable his son to be a land owner. Farmers' daughters go into factories that they may clear off the mortgages from their fathers' farms; that they may be independent land owners again."

CHAP.
XIIA Nation
of Land-
holders

MEANS OF COMMUNICATION

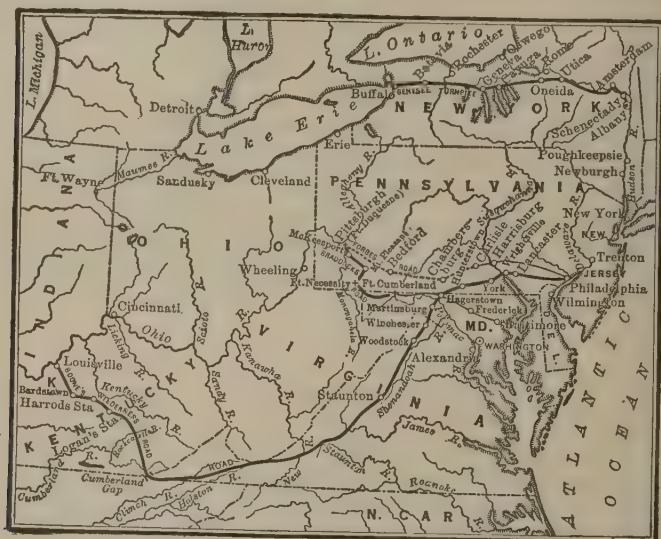
In the upbuilding of the West the question of transportation was for more than half a century quite as important as the question of cheap lands. The journey to the far-off Western farms was costly and toilsome and was beset with difficulties and dangers. The pioneer could reach the Northwestern wilderness—for in 1800, except for a fringe of settlement along the Ohio River, the Northwest Territory was still a wilderness—by several well-defined routes. New England settlers made their way up the Mohawk Valley and along the Genesee turnpike to Lake Erie. But not all the home-seekers going out from New England pushed on to the West. Many remained on the lands between the sources of the Mohawk and Lake Erie, where they cleared forests, erected mills, built towns, and laid the foundations of western New York. By 1816 the road from Utica to Buffalo was lined with villages.

Routes to
the West

The pioneer moving through Pennsylvania to the Western country followed the old Forbes Road which, during the French and

Pittsburgh

Indian War, had been cut through from Philadelphia to Pittsburgh. This frontier town was now becoming a distributing center for western trade. Its population in 1818 was about 5,000. It had 767 buildings, a steam mill that could grind 500 bushels of grain in a day, four glass factories, several breweries and distilleries, two cotton factories, a wire mill, and an iron mill. At Pittsburgh the pioneer bound for the Northwest placed his goods on a flat-boat and made his way by water to the place where he wished to make for himself a home.



Routes to the West during the Turnpike Era (1800-1825)

The
National
Road

Settlers starting at Baltimore followed a turnpike until they reached Cumberland. From this point in the earlier years the journey usually led over the mountains to Pittsburgh. Soon, however, a highway was built from Cumberland to Wheeling. This was the National Road, for the construction of which Congress as early as 1806 had appropriated \$30,000; though actual operations did not begin until 1811. By 1818 the famous highway was finished, and coaches were running from Baltimore to Wheeling. The National Road was built at the expense of the Federal Government, nearly \$7,000,000 in all being spent on its construction. It was worth its cost many times over, for it was a powerful factor

in the development of the West. No sooner was it completed than great streams of traffic began to move over it. Passenger coaches rushed along its smooth surface at the rate of ten miles an hour, and wagons drawn by ten or twelve horses carried loads that sometimes weighed as much as ten tons.

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The conditions of traveling to the Western country in the early days were well described as follows by the traveler Imlay: "If the emigrant has a family or goods of any sort to remove his best way would be to purchase a wagon and a team of horses. The wagon may be covered with canvas, and if it is the choice of the people they may sleep in it at night with the greatest safety. The provisions of the family I would purchase of the farmers as you pass along, and by having two or three camp kettles and stopping every evening when the weather is fine upon the brink of some rivulet and by kindling a fire they may soon dress their food. The best way is to convey their tea and coffee from the place they may set out at. The distance which one of those wagons may travel in one day is little short of twenty miles. So that it will be a journey from Alexandria [in Virginia] to Red Stone Old Fort [on the Monongahela River] of eleven or twelve days, and from Philadelphia to Pittsburg, it would require nearly twenty days."

Conditions
of Travel

Beyond the Alleghanies in the old Northwest pioneers found no roads at all. There were the trails made by Indians and buffaloes, but these were so narrow that even a rider on horseback moved along with difficulty. The only roads were the rivers. But the system of waterways which lay open to the Western settlers was one of the finest in the world. The early pioneers, however, at first could not make the best use of the rivers, for they had no boats that could carry heavy burdens and at the same time move swiftly and easily in narrow streams. As a result, crops could not be shipped to market and farmers raised more grain than they could sell.

But invention soon came to the relief of the Western farmer and gave him the steamboat. As early as 1786 James Rumsey of Shepherdstown (then in Virginia) propelled on the Potomac River what was perhaps the first boat that was ever moved by steam. The next year John Fitch was operating a steamboat on the Delaware River. But the boats of Rumsey and Fitch were clumsy affairs and proved to be unsuccessful. The first really successful steamboat was built by Robert Fulton, whose *Clermont* in 1807

The
Steamboat

made a trip on the Hudson River from New York to Albany in thirty-two hours and returning in thirty hours. Within four years after the launching of the *Clermont* steamboats began to be built west of the Alleghanies, and by 1820 Western rivers were alive with this craft. Louisville now sometimes had as many as a dozen steamboats lying along her river-front, while at New Orleans there were sometimes as many as twenty.

EMIGRATION AND IMMIGRATION

With the stimulus of cheap land and improved means of transportation the western movement grew stronger and stronger. On each of the highways to the West emigrants went out in great streams. During the hard times brought on by the embargo and the War of 1812 the emigration assumed a volume never before known. "Burdened with taxation," says McMaster, "deprived on a sudden of all means of support, in debt and liable at any moment to be imprisoned for being in debt, farmers, artisans, mechanics, tradesmen who had long been held on the seaboard by the flush times which preceded the war, now sold their possessions for whatever they could get and quitting the Atlantic States forever hurried away to find new homes along the shores of the Great Lakes or on the eastern slope of the Mississippi Valley." The road through New York was described as being thronged with "fitting families from the eastern States." On the turnpike to Pittsburgh a gate-keeper counted between March and December, 1817, two thousand families on their way to the West. The whole number of westward-bound emigrants passing through the gate during the same time was sixteen thousand. So large in volume did the migration become and so visible were its effects in the older States that in some places in the East there was alarm; it seemed that the seaboard communities would be depopulated.

There was no good reason why the East should be greatly alarmed. For while the seaboard States were being depleted by the westward movement they were at the same time receiving fresh accessions of population from abroad. How many foreigners came during the period now under consideration cannot be accurately stated, for no reliable statistics of immigration are available. A commonly accepted estimate places the whole number of foreigners who came to our shores between 1783 and 1820 at about 250,000.

Of these the larger portion landed during the very years in which Americans in such numbers were leaving their old homes in the East. After peace came to Europe with the overthrow of Napoleon the desolation made by the war, unemployment, and heavy taxes caused so much distress that thousands of Englishmen and Irishmen left the Old World to seek their fortunes in the New. From Belfast and Dublin and Bristol and London came ship-load after ship-load of carpenters and masons and weavers and blacksmiths. During the four years 1816-19 nearly one hundred thousand immigrants from Great Britain alone arrived in the United States. In the single year 1819 the number was nearly 35,000. Most of the new-comers landed in Boston, New York, and Philadelphia, and it was in these cities they took up their abode. Thus, while native Americans were leaving the older States and filling up the West foreigners were swelling the population of the towns and cities along the seaboard.

ALONG THE OHIO RIVER: OHIO, INDIANA, ILLINOIS

We have seen that a considerable area north of the Ohio was settled before the close of the eighteenth century.¹ After land prices were lowered in 1800, the old Northwest filled up as if by magic, the home-seekers coming from all sections of the Union. Many came from the North—from New England, New York, and Pennsylvania—but the greater number came from the South. The number that left North Carolina and Virginia was so great that their departure became a matter of serious concern; and in the legislatures of these States measures were urged to check the emigration.

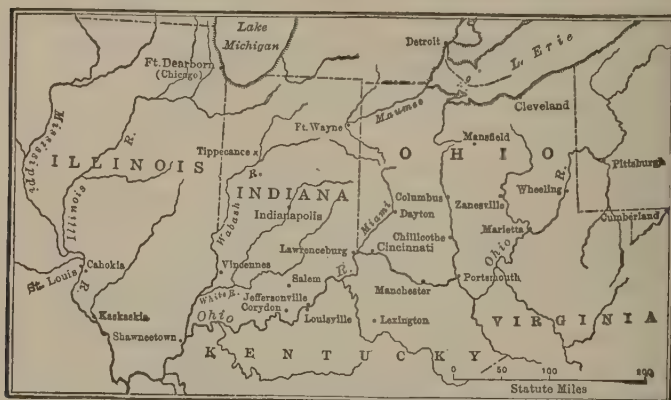
The result of the rush to the Northwest was within a few years to build up Ohio, Indiana, and Illinois. Ohio, naturally, was the first to attain Statehood. In 1802 Congress passed a law enabling the people of the Territory Northwest of the Ohio² to frame a constitution for the government of the proposed State. Accordingly a convention met at Chillicothe, and drew up a constitution, which was accepted by Congress; and in 1803 the Territory Northwest of the Ohio was admitted as the State of Ohio.

From Ohio the wave of settlement passed on to Indiana. Here

¹ See p. 162.

² See p. 166.

there was trouble with the Indians, just as there had been in the early days of Ohio. In 1811 the redskins under the leadership of Tecumseh entered into a conspiracy to drive all the whites out of Indiana. The tables, however, were turned upon the conspirators by the governor, General William Henry Harrison, who met the Indians in battle at Tippecanoe in November, 1811, and defeated them with great slaughter. After this battle the Indians gave the settlers but little trouble. With the red men out of the way and the steamboat plying upon the Ohio, land-seekers made their way to Indiana in great throngs. Towns and villages grew so rapidly



Along the Ohio River: Ohio, Indiana, Illinois

that people could hardly believe their eyes. In three years Vevay grew from a single log cabin to a well-built town with a courthouse, school-house, and public library, stores, hotels, and nearly a hundred dwellings. In the single year 1816 fourteen thousand settlers went into Indiana and found homes for themselves. By this time the Territory was ready for statehood; and in 1816 representatives of the people, meeting at Corydon, then the capital of the Territory, framed a State constitution. As the weather was warm the sessions of the convention were held in the shade of a great elm-tree which at the close of the nineteenth century was still standing as a reminder of pioneer days. The work of the open-air convention was accepted by Congress, and Indiana was admitted into the Union in 1816.



MOVING OUT WEST

While Indiana was growing so rapidly Illinois was also filling up with settlers. In 1809 Indiana and Illinois were separated, and Illinois was made a Territory with the old French town of Kaskaskia as its capital. In Illinois the red men gave the settlers but little trouble after the Battle of Tippecanoe. During the War of 1812, however, at Fort Dearborn on the present site of the city of Chicago, there was a terrible massacre of white men.

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Illinois

Both Indiana and Illinois in their early days had to deal with the slavery question. In the old French settlements slaves were still held in spite of the Ordinance of 1787. Moreover, slaveholders from the South often brought their slaves up into Indiana and Illinois. As a result the sentiment in favor of slavery was quite strong in these two Territories, especially in the more southerly sections. Yet there was a strong antislavery sentiment, for in the northern sections of Indiana and Illinois there were settlers from New England and New York, who resisted the efforts that were made to legalize slavery in the Northwest. In this effort they were assisted by Congress, which demanded a compliance with the terms of the Ordinance of 1787.¹ Illinois, accordingly, came into the Union in 1818 as a free State, just as Ohio and Indiana had come in as free States.

The Slavery
Question

Thus within thirty years after the landing of the "Pilgrim Fathers of Ohio" at Marietta, three of our greatest States were carved out of the original Northwest Territory. In each of them the growth in wealth and population was marvelous. Forests and swamps vanished from sight, and in their places there appeared smiling fields of wheat and corn. Hamlets grew to towns and towns to thriving cities. Population grew at a startling rate. In 1800 the inhabitants of the entire Northwest numbered only a little more than 50,000. By 1820 the combined population of Ohio, Indiana, and Illinois was nearly 900,000. At the time of the admission of Ohio in 1803, its population was about 50,000; seventeen years later the figure had jumped to nearly 600,000, and Ohio was more populous than Massachusetts.

Growth of
the Middle
West

But only by hard labor and sacrifice and even suffering was the wilderness transformed into a fit abode for man. Life in the Middle West a hundred years ago was not the pleasant, comfortable thing it is to-day. It was the plain, simple life of the pioneer farmer. "The farmer raised his own provisions; tea and coffee

Life in
the Middle
West in
Early
Times

¹ See p. 163.

were scarcely used except on some grand occasions. The farmer's sheep furnished wool for his winter clothing; he raised cotton and flax for his summer clothing. His wife and daughters spun, wove, and made it into garments. A little copperas and indigo, with the bark of trees, furnished dye stuffs for coloring. The fur of the raccoon made him a hat or a cap. The skins of deer or of his cattle, tanned at a neighboring tan-yard or dressed by himself, made him shoes or moccasins. Boots were rarely seen, even in the towns. And a log-cabin made entirely of wood without glass, nails, hinges, or locks, furnished the residence of many a contented and happy family. The people were quick and ingenious to supply by invention and with their own hands the lack of mechanics and artifices. Each farmer built his own house, made his own plows and harness, bedstead, chairs, cupboards and tables."¹

AROUND THE GULF OF MEXICO: LOUISIANA, MISSISSIPPI, ALABAMA,
FLORIDA

While a kingdom of wheat and corn was rising in the country north of the Ohio there was growing in the Southwest a kingdom of cotton and sugar. "By the side of the picture of the advance of the pioneer farmer bearing his household goods in his covered wagon to his new home across the Ohio must be placed the picture of the Southern planter crossing through the forest of western Georgia, Alabama, and Mississippi in his family carriage with servants, packs of hunting dogs, and a train of slaves."

Louisiana

The story of the Southwest begins with Louisiana at the time it was purchased from France. Formal possession of Louisiana was taken in December, 1803, when William Claiborne, the governor of the new acquisition, after meeting the French officials in New Orleans and receiving from them the keys of the city, hauled down the banner of France which was waving over the city hall and raised the American flag. In 1804 Congress divided the great purchase into two parts. The part south of the thirty-third parallel of latitude—the present State of Louisiana—was given a separate Territorial organization and was called the Territory of Orleans. The heart of Orleans was New Orleans, a city of perhaps 8000 inhabitants. The part of the purchase north of the thirty-third parallel, the wild and almost illimitable region that stretched

¹ Ford, "History of Illinois"; p. 41.

northward toward Canada and lay between the Mississippi River and the Rocky Mountains, was assigned to the Territory of Indiana to be governed as the District of Louisiana. The largest settlement in all this northern region was St. Louis, still at that time only a little fur trading village.

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XII

After Orleans was brought under American rule it flourished as never before. Planters moved down from the older States with their slaves and brought under control the rich sugar and cotton lands of the lower Mississippi. New Orleans in a very few years became a city with a population of 25,000 souls. So rapidly did Orleans grow that by 1812 it had the number of people usually required for statehood; and in that year it entered the Union as Louisiana, the first State carved out of the Louisiana Purchase.

Mississippi;
Alabama

Pioneers were now entering the Mississippi Territory, which had been organized in 1798,¹ and which by 1810 had come to include what are now the two States of Mississippi and Alabama. Louisiana in its development had the advantage of an old French civilization upon which to build, but the Mississippi country at the opening of the nineteenth century was almost as wild and as desolate as it was in the days of Soto. After the defeat of the Creek Indians by Jackson, however, settlers poured into Mississippi so fast that by 1816 the population of the Territory was 75,000. Application was made for admission into the Union, and this was granted; but a division of the Territory was made, the dividing line extending from the mouth of Bear Creek southward to the Gulf of Mexico. The part west of the dividing line was called Mississippi and in 1817 was admitted into the Union with Natchez as its capital. The part east of the line became Alabama Territory. But planters were spreading over Alabama as well as over Mississippi. In 1817 a traveler fell in with two hundred and seven vehicles, twenty-nine herds of cattle, twenty-seven droves of hogs, and three thousand eight hundred people, all from North Carolina and all bound for the cotton lands of Alabama. Within two years Alabama had a population large enough for Statehood. Accordingly, in 1819, it joined the Union. By this time we had secured the possession of Florida through a treaty, an account of which will be given in the following chapter.² In 1821 Florida was organized as a Territory, with Andrew Jackson as its first governor.

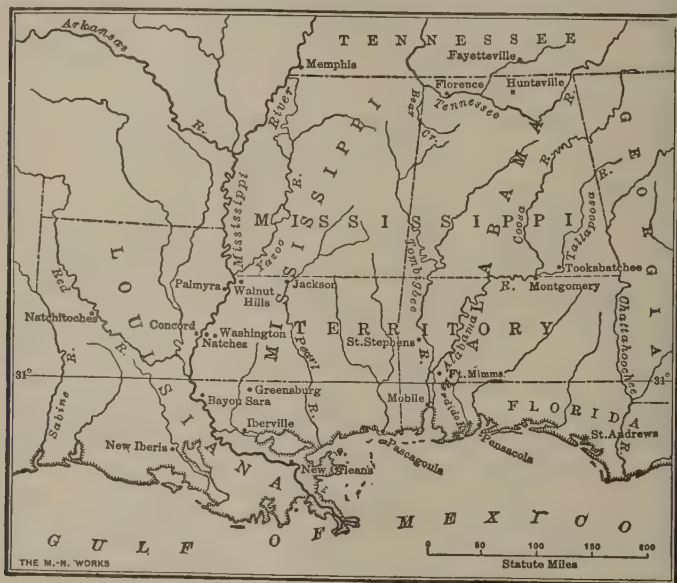
Florida

¹ See p. 162.

² See p. 248.

CHAP.
XIICotton the
Reliance
of the
Southern
Farmer

Thus three States and a Territory emerged almost overnight from out of the wilderness which encircled the Gulf of Mexico. This phenomenal growth was due to an unprecedented demand for cotton. The industrial revolution which was wrought by the inventions of Kay and Arkwright and Watt¹ and which was changing the face of civilization in Europe had now reached America. In the United States as well as in Europe improved looms and spinning-machines were calling for greater and greater



Around the Gulf of Mexico

supplies of cotton. This cotton the Southern planters could furnish, thanks to Eli Whitney, who by the invention of the cotton-gin in 1793 made it possible for them to raise cotton with profit. Nowhere could cotton be cultivated with more profit than in the rich lands of the Gulf States. Accordingly slaves in great numbers were brought down to pioneer plantations of the South. From ten to fifteen thousand were brought every year from Delaware, Maryland, and Virginia; and the greater the number of slaves the greater the yield of cotton. In 1810 the Gulf region produced

¹ See p. 97.

5,000,000 pounds of cotton; ten years later the production was 60,000,000 pounds. Slavery was now the mainstay of industry in the Gulf States, and the cultivation of cotton was the chief reliance of the farmer. Whitney's invention enormously increased the production of cotton, but at the same time it bound the South hand and foot to the system of slave labor.

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ACROSS THE MISSISSIPPI: MISSOURI

The westward movement had not halted at the Mississippi even at the time when that stream was still our western boundary. It was the pressure of the pioneer quite as much as the action of diplomats that led to the great purchase. If there had been no purchase Louisiana would have been ours by the inexorable march of American civilization. Several months before the cession became an accomplished fact, Congress, complying with the wishes of the far-seeing Jefferson, appropriated money for the expenses of an expedition to Oregon. The expedition was placed in charge of Meriwether Lewis and William Clark, both officers of the United States army. The explorers, leaving St. Louis in May, 1804, followed the Missouri to its source in the Bitter Root Mountains. Then, making their way over mountainous country, they came to the head waters of a stream which took them to the mouth of the Columbia River. Thus the Pacific Ocean was reached by traveling westward across the United States, and something of the geography and resources of the Far West were made known to the world.

Meriwether
Lewis and
William
Clark

The first practical result of the expedition of Lewis and Clark was to open up the fur trade in the region beyond the Mississippi. Hunters and trappers followed the path blazed by the explorers, and by 1809 agents of the Missouri Fur Co. of St. Louis had set up a trading post upon the waters of the Columbia. Two years later John Jacob Astor, who had already made a fortune in the fur trade, established near the mouth of the Columbia a fur trading station which he called Astoria. British fur traders also were upon the scene, and soon there grew up a keen rivalry between American and British fur companies.

The Fur
Trade

The collisions between the American and British trappers quickly brought up the question of the ownership of the Oregon country, which at this time was claimed by Spain, Great Britain, and the United States. Spain claimed the region on the ground that she was the original and undisputed owner of all the territory west of

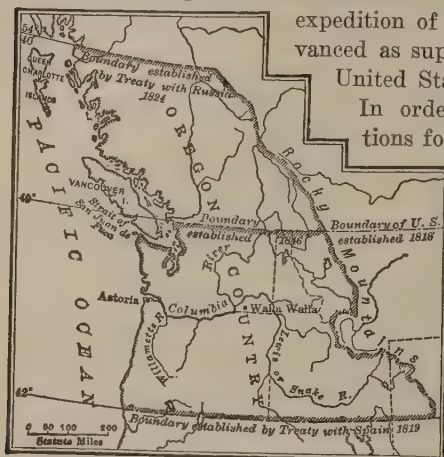
The Oregon
Country

the Rocky Mountains. Great Britain as yet did not claim full possession of the Oregon country, but she did assert the right to fish in the waters of Oregon and to trade with the natives, for the right had been accorded to her by Spain. And what were the claims of the United States to Oregon? First, there was the right of discovery. Before English eyes ever rested upon the waters of the Columbia, Captain Robert Gray of Boston in 1792 entered the mouth of the river and ascended it a distance of twenty-five miles. Then, Jefferson claimed Oregon for the United States because he regarded it as a part of the Louisiana Purchase. Furthermore, the expedition of Lewis and Clark was advanced as supporting the claims of the United States.

United States.

In order to settle their contentions for a time at least, England and the United States in 1818 entered into a joint occupation treaty by which it was agreed that any territory on the north-west coast of America that might be claimed by either power should be open for the period of ten years to the vessels, citizens, and sub-

Joint Occu-
pation by
England
and the
United
States



The Oregon Country

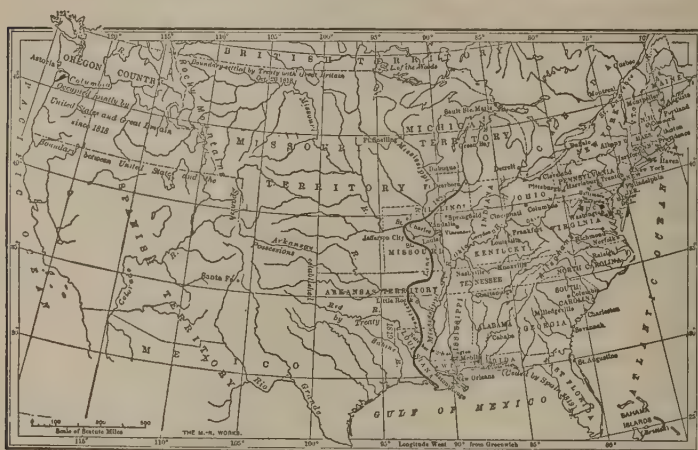
jects of the other power. In the following year Spain by treaty relinquished to the United States all claims upon territory above the forty-second parallel of latitude. The retirement of Spain left England and the United States in joint occupation, and the Oregon question was temporarily settled; but only temporarily, for forces stronger than the agreements of diplomacy were at work in the Oregon country. These were "the American immigrant, the American missionary, the Declaration of Independence, and the ox-team."

The fur traders were quickly followed by planters who moved across the Mississippi and laid the foundations of Missouri. At the time Louisiana came into our possession the population of Missouri consisted of only a few thousand persons living in the old

French settlements close to the west bank of the Mississippi. But soon the planters from the South began to come, and with them they brought their slaves. The traveler Flint has drawn a picture of the pioneer planter moving with his slaves into Missouri: "The cattle with their hundred bells; the negroes with delight in their countenances, for their labors were suspended and their imaginations excited; the mistress and children strolling carelessly along in a gait that enables them to keep up with the slow-traveling carriage. Just before nightfall they come to a spring or a branch where there is water and wood. The pack of dogs set up a cheerful barking. The cattle lie down and ruminate. The team is unharnessed. The large wagons are covered so that the roof completely excludes the rain. The cooking utensils are brought out. The blacks prepare a supper which the toils of the day render delicious; and they talk over the adventures of the past day and prospects of the next. Meantime they are going where there is nothing but buffaloes, to limit their range, even to the western sea." Settlers entered Missouri from almost every direction, for it could be reached by all the rivers of the Mississippi Valley. But early Missouri was in the main an overflow from the South, the emigration from North Carolina and Tennessee being especially large. Under such favorable conditions the settlement was bound to go forward at a rapid rate. By 1820 Missouri had a population of 70,000 and was ready for Statehood. Accordingly in that year she was admitted into the Union. The question of her admission brought up the question of slavery extension over which there was waged in Congress a fierce battle. An account of the struggle and of its outcome will be given in the next chapter.

Thus by 1820 the frontier line had been pushed far out into the land beyond the Mississippi. As we follow this line in its receding movement toward the setting sun, how marvelous appear the changes which took place in the brief space of two decades! How different was the United States of 1820 from the United States of 1800! In 1800 the area of our country was less than a million square miles; in 1820 it was nearly two million. In 1800 our western boundary was the Mississippi River; in 1820 we had full title to possessions which extended to the eastern base of the Rocky Mountains, while our claims included territory bordering on the Pacific. In 1800 the population of the United States was five million; by 1820 it had doubled. West of the Alleghanies in 1800

there were barely half a million white people; in 1820 there were nearly eight times as many. In 1800, with the exception of New Orleans, there was not in all the West a single collection of houses that was anything more than a village; by 1820 Pittsburgh, Cincinnati, Louisville, Nashville, and St. Louis had all risen to the rank of cities and were all flourishing centers of trade. And how great was the growth of the American Union during these years! In 1800 the Union consisted of sixteen States; in 1821 it contained twenty-four States, nine of which were west of the Alleghanies.



The United States in 1820

THE SIGNIFICANCE OF THE FRONTIER

It was in the upbuilding of the Western country during this period that direction was given to the course which economic progress in America was to take. The stages of the pioneer's advance were described by J. M. Peck, who was himself a most intelligent pioneer. "Generally," he says in his "New Guide to the West," "in all the western settlements three classes, like the waters of the ocean, have rolled one after the other. First comes the pioneer, who depends for the subsistence of his family chiefly upon the natural growth of vegetation called the 'range' and the proceeds of hunting. His implements of agriculture are rude, chiefly of his own make, and his efforts directed mainly to a crop

of corn and a 'truck patch.' The latter is a rude garden for growing roasting cabbages, beans, corn for roasting ears, cucumbers and potatoes. A log cabin and occasionally a stable and corn-crib, and a field of a dozen acres, the timber girdled or 'deadened,' and fenced, are enough for his occupancy. It is quite immaterial whether he ever becomes the owner of the soil. He is the occupant for the time being, pays no rent, and feels as independent as the 'lord of the manor.' With a horse, cow, and one or two breeders of swine, he strikes into the woods with his family and becomes the founder of a new county or perhaps State. He builds his cabin, gathers around him a few other families of similar tastes and habits, and occupies till the range is somewhat subdued, and hunting a little precarious, or, which is more frequently the case, till neighbors crowd around, roads, bridges and fields annoy him, and he lacks elbow room. The preëmption law enables him to dispose of his cabin and cornfields to the next class of emigrants, and, to employ his own figures, he 'breaks for the high timber,' 'cleans out for the New Purchase,' or migrates to Arkansas or Texas to work the same process over. The next class of emigrants purchase the lands, add field to field, clear out the roads, throw rough bridges over the streams, put up hewn log houses with glass windows and brick or stone chimneys, occasionally plant orchards, build mills, school-houses, court-houses, etc., and exhibit the picture and forms of plain, frugal, civilized life.

"Another wave rolls on. The men of capital and enterprise come. The 'settler' is ready to sell out, and take advantage of the rise of property, push farther into the interior, and become himself a man of capital and enterprise in turn. The small village rises to a spacious town or city; substantial edifices of brick, extensive fields, orchards, gardens, colleges, and churches are seen. Broad-cloths, silks, leghorns, crapes, and all the refinements, luxuries, elegances, frivolities, and fashions are in vogue. Thus wave after wave is rolling westward; the real *el dorado* is still further on."

The economic aspects of frontier life were of no greater significance than were the social and political aspects. While the pioneer was making wonderful changes in the material world around him, the frontier in turn was making profound changes in the social and spiritual nature of the pioneer. While struggling with the harsh and raw conditions of a savage environment he himself grew to be harsh and raw. But while the men of the early West were

losing in the graces and refinements of civilized life they were at the same time acquiring traits of character that have been of vast importance in the upbuilding of the American nation. For one thing, life on the frontier was entirely favorable to the growth of strong individuality. The pioneer led a lonely existence. Sometimes his nearest neighbor lived twenty miles away. In this isolation he was not compelled to jostle elbows with his fellow-men, no glare of publicity beat upon his every action, no public opinion stifled his judgment. He was free to live his own life, think his own thoughts, and work out his own salvation. Such a man was pretty sure to be self-centered, self-assertive, and self-reliant—an ultra-individualist.

Frontier life fostered the spirit of democracy. In the wilderness where there were no distinctions in rank or wealth there was generated that feeling of equality which is the essence of democracy. Every man was an individual who counted as one, but no man counted more than one. The frontiersman by every principle and implication of his being was a democrat; he believed that every man should have a vote and that the majority should rule. He therefore could be relied upon to do his part in making the world "safe for democracy." The frontier States were all organized as democracies. Ohio, Indiana, and Illinois all provided in their constitutions for complete manhood suffrage in their first constitutions, while the new States of the South gave the suffrage to all adult white males.

Thus the West led America into the path of true democracy. "The American spirit," says F. J. Turner, "was developed in the new commonwealths that sprang into life beyond the seaboard. In these new western lands Americans achieved a boldness of conception of the country's destiny, and democracy. The ideal of the West was its emphasis upon the worth and possibilities of the common man, its belief in the right of every man to rise to the full measure of his own nature under conditions of social mobility. Western democracy was no theorist's dream. It came, stark and strong and full of life, from the American forest."

Suggested Readings

- Westward movement: Lippincott, pp. 138-148.
 Fulton's steamboat: McMaster, Vol. III, pp. 487-491.
 Life in the West in 1800: McMaster, Vol. II, pp. 144-146.
 Transportation, 1800-20: Turner, pp. 81-83.
 Spread of population in the Mississippi Valley: Semple, pp. 150-177.

XIII

AN ERA OF GOOD FEELING

PEACE AND ISOLATION

TURNING from the rising young West, we may now take up the story of national affairs at the point where it was left off; that is, at the end of the War of 1812.

The Treaty of Ghent gave to America the opportunity for a lasting peace, and eagerly did the nation return to the pacific ideals of Jefferson. Within five years after the close of the war the regular army had been reduced to a negligible establishment of about 5000 men, while the combined annual expenditures of the army and navy had been scaled down to about \$4,000,000, a sum much smaller than that now spent on armament in two or three days. The maintenance of a small armed force and the policy of avoiding war seemed to harmonize with the instincts of the American people and with the avowed doctrine of their leaders. "If there be a duty," said John Quincy Adams, "binding in chains more adamant than all the rest the conscience of the Chief Magistrate of the Union, it is that of preserving peace with all mankind—peace among the several States of the Union, peace in the hearts and tempers of our people." And it was not merely lip-service that statesmen gave to peace; they actually kept the country out of war. After 1815 more than thirty years passed before the throb of the war-drum was heard in the United States.

Pacific
Ideals

The Treaty of Ghent also marked the beginning of America's national isolation. Foreign affairs now occupied but a small share of the public interest. The very existence of Europe was almost forgotten, so intently were the minds of the people centered upon America and her illimitable possibilities. The American Union henceforth was to be a nation which was to pursue an independent course, free from the control or interference of the Old World.

The consciousness of national isolation was accompanied by a feeling of self-reliance in industrial matters. After the War of

Industrial
Indepen-
dence

had little or no opposition. In all the States but three—Massachusetts, Connecticut, and Delaware—where the moribund Federalists maintained a last desperate stand, the electoral votes were cast for Monroe. Four years later, when every vestige of Federalism had disappeared, Monroe was reëlected, receiving every electoral vote but one.

With the collapse of the Federalist party and the close of international strife the country settled down into a period of political repose. Now that there was no longer a British faction or a French faction, party politics fell into a stagnant condition. Monroe, soon after his inauguration on March 4, 1817, made a tour of the country, and wherever he went he found party spirit running low. Even in New England, where he might well have expected a cold shoulder from the Federalists, his welcome was warm and enthusiastic. "The visit of the President," said one of the newspapers of Boston, "seems to have wholly allayed the storms of party." Another newspaper, impressed by the harmony which seemed to prevail among all classes of people, characterized the time as an "era of good feeling." The phrase was universally recognized as fit and happy, and it was instantly seized upon to describe the period during which Monroe was President.

The outburst of good feeling which greeted Monroe was due in part to the fact that the people felt that he was the official head of a great nation which was theirs. By this time the United States had become a nation: the ties of nationality were not yet very strong, it is true, but they held together a Union which was destined to be indestructible and indissoluble. Many things had worked together to produce this fabric of national sentiment. In the first place the Federal Government had acquired prestige and influence. The people had grown accustomed to its presence and power. For nearly thirty years they had been living under a national flag, had been using a national currency, had paid taxes into a National Treasury, and had been obeying national laws executed by national officers. The people, too, had learned that the National Government was for them a strong shield of defense. They had seen Indian uprisings put down, insurrections crushed, and conspiracies thwarted. They had passed through the War of 1812 with its hopes and its fears, with its triumphs and its reverses, and had emerged from the conflict with the feeling that in the Union they had a common interest and a common destiny. The measures of

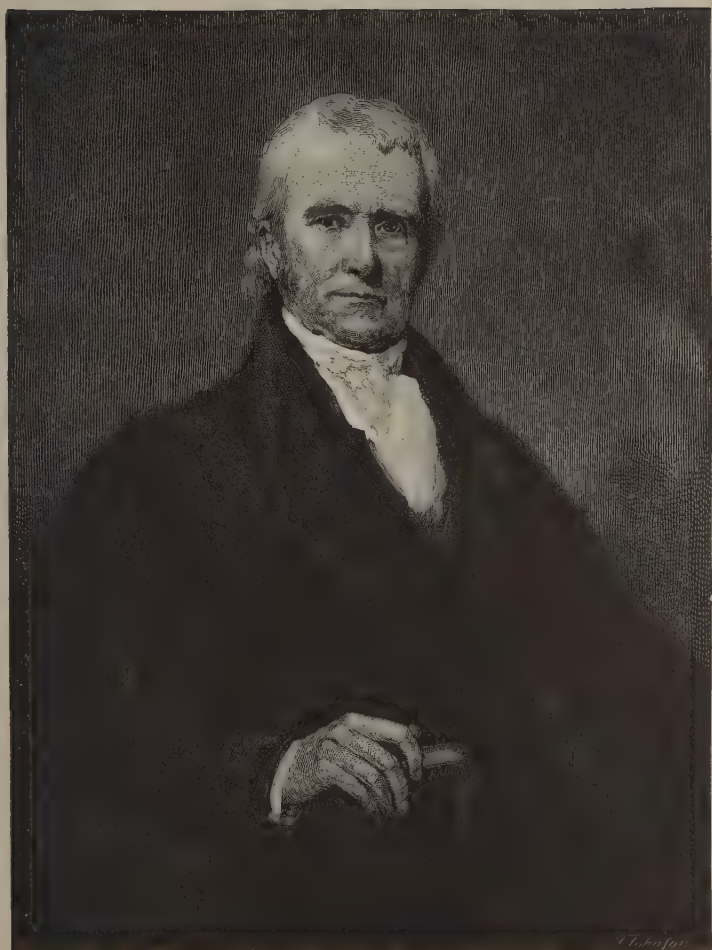
the Republicans during their sixteen years of administration had done much to strengthen the ties of nationality. The Republicans, once they were in power, did many things that were in contravention of the decentralizing theories upon which their party was founded. Under Jefferson they caused the National Government to reach out its arm and take possession of Louisiana, an act which the great Democrat himself regarded as unconstitutional. Under Madison they established in 1816 a national bank (the Second Bank of the United States), notwithstanding the fact that Madison himself in the early days of the Republican party had declared that the scheme for a national bank was "condemned by the silence of the Constitution and by its tendency to destroy the main characteristics of the Constitution." In short, by the time of Monroe the Republicans were drifting from their old moorings and were thinking less about the State and its rights and more about the American Nation and the benefits that might be conferred upon it by a wise use of the Federal power.

Another agency, and a powerful one, in promoting the growth of nationality during this formative period was a series of remarkable decisions handed down by the Supreme Court of the United States, the tribunal which gave "the mordant to the colors with which the national fabric was being dyed." Most of the decisions were rendered by John Marshall, who during his thirty-four years of service as chief justice strenuously upheld the supremacy of the Federal Constitution. One of the most far-reaching of his decisions was that delivered in the case of *McCulloch v. Maryland*. Here McCulloch, the cashier of the Baltimore branch of the Second Bank of the United States, resisted the payment of a tax imposed on the bank by a law of Maryland. The tax was upheld by the Maryland courts, but on a writ of error the case was carried to the Supreme Court of the United States where a decision was reached in 1819. The case revolved around the question of implied power. Had Congress the power to incorporate a bank? In the Constitution there was no expressed power to do this, but was the power there by implication? And did the doctrine of implied powers have any justification? To this Marshall replied in the affirmative: "The government of the United States though limited in its powers is supreme; and its laws when made in pursuance of the Constitution form the supreme law of the land. There is no phrase in the instrument [the Constitution] which excludes incidental or implied

powers; and which require that everything granted shall be expressly and minutely described. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end are constitutional." Thus the National Government was declared competent to exercise any implied power which might be necessary for the execution of an expressed power of the Constitution. Congress could incorporate a bank, the bank could establish branches within any State without its consent, and the State could not tax the branch thus established, for the "power to tax is the power to destroy."

Another decision which had the effect of strengthening and exalting the National Government was that rendered in 1816 in the case of *Cohens v. Virginia*. Here Marshall decided that the Supreme Court of the United States could set aside the decisions of State courts and the laws of State legislatures whenever such decisions or such laws were found by the court to be contrary to the Constitution. In a previous decision—in *Marbury v. Madison*—Marshall had held that the Supreme Court could set aside and declare null and void a law of Congress if such law seemed to the court to be in conflict with the Constitution. The effect of the decisions in these two famous cases was to place in the hands of the national judiciary tremendous power. Henceforth the Supreme Court could veto absolutely any law whether State or Federal if the law in question seemed to the court to be unconstitutional.

Still another far-reaching decision of Marshall's related to the subject of interstate commerce. The legislature of New York had conferred upon Robert Fulton and his patron Livingston exclusive rights of navigation within the jurisdiction of that State with vessels moved by steam. This franchise was contested in the case of *Gibbons v. Ogden*. Here the Supreme Court decided that the monopoly granted to Fulton was unconstitutional and void because it conflicted with the power given to Congress to regulate interstate commerce. By this decision all the navigable waters of the country were thrown open to competition. The meaning of the word commerce was entered into: "commerce is undoubtedly traffic but it is something more: it is intercourse. It is the commercial intercourse between nations and parts of nations in all its branches." In the decision the power of the National Government over interstate commerce was declared to be full and complete,



John Marshall

extending not only to the commodities exchanged and to the agencies of transportation but to the movements of persons as well.

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The influence which Marshall was exerting upon the process of nationalization was a source of apprehension and alarm to the men who were opposed to a centralized government. Jefferson in his last years never tired of belaboring the Supreme Court for what he regarded as its usurpations. "The great object of my fear," he said in 1821, "is the federal judiciary. That body like gravity with noiseless foot and unalarming advance, gaining ground step by step, and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them." But despite criticism and fierce opposition the Supreme Court continued to assert the power of the National Government and to uphold the supremacy of the Constitution.

THE MISSOURI COMPROMISE

At this very time when the stars in their courses seemed to be working together for union there arose a question which was full of the seeds of disunion. This was the question of slavery extension. We have seen that in the first years of the republic slavery in the United States seemed to be dying out. At the opening of the nineteenth century every State north of the Mason and Dixon Line had either abolished slavery or had taken steps that would lead to universal freedom. In the South, too, there was a strong sentiment against slavery. Before 1800 Maryland, Virginia, North Carolina, South Carolina, and Georgia had all forbidden the importation of slaves, and in some of these States there were movements for the emancipation of the black race. Washington in his last will emancipated the slaves on his plantation. Thomas Jefferson was bitter in his opposition to slavery: early in his public career he had worked earnestly for emancipation, but in vain.

Early
Opposition
to Slavery

When after the adoption of the Constitution the question of dealing with slavery came before Congress that body declared that it had no power in regard to slaves. By implication, however, it could under the Constitution assist masters in securing the return of fugitive slaves. Accordingly in 1793 it had passed a fugitive-slave law, which remained in force fifty-seven years: by its terms a master or his agent might recover a slave by taking him before a Federal judge or a local magistrate, who without a jury trial could

The First
Fugitive-
Slave Law;
the Impor-
tation of
Slaves

determine the question of ownership. Congress also under the Constitution had the power to prohibit the importation of slaves after January 1, 1808. In 1806 Jefferson in his annual message reminded Congress of its opportunity, saying, "I congratulate you upon the approach of the period at which you may interpose your authority constitutionally to withdraw the citizens of the United States from all further participation in those violations of human rights which have been so long continued on the unoffending inhabitants of Africa, and which the morality, the reputation, and the best interest of our country have long been eager to proscribe." Congress responded by passing a law making the importation of slaves unlawful after January 1, 1808. The most conspicuous provision of the law was that henceforth the importation of slaves should be a felony punishable with death.

With the passage of this law Congress would gladly have washed its hands of the slavery question forever. Southern members felt that slavery was a matter to be dealt with by each State as it might see fit, and Northern members as a rule acquiesced in this view. But it was impossible for Congress permanently to avoid consideration of the question. In 1818 a petition was presented to the House of Representatives praying for the admission of Missouri as a State. In February, 1819, while the bill was on its passage through the House, James Tallmadge of New York proposed an amendment which provided that further introduction of slavery into the new State should be prohibited and that all children of slaves born within the State after admission should be free when they became twenty-five years of age. The bill with the Tallmadge amendment passed the House, but in the Senate the antislavery provisions were stricken out. When the bill was returned to the House it refused to recede from its position. As it was now late in the session Congress adjourned, leaving the prayer of Missouri unanswered.

The question raised by the Tallmadge amendment was this: Was slavery to be confined within the States where it already existed, that is, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Louisiana, Mississippi, and Alabama, or was the area of slavery to be extended? The amendment gave rise to a debate which was marked by great intensity of passion, especially among the Southern members, who were themselves slaveholders almost to a man. "If you persist,"

said Cobb of Georgia to the supporters of the amendment, "the Union will be dissolved." Looking at Tallmadge he exclaimed, "You have kindled a fire which all the waters of the ocean cannot put out, which seas of blood can only extinguish." The fire kindled by the debate soon grew into a blaze that crackled and roared throughout the whole land. In the North mass-meetings and State legislatures, including those of Pennsylvania, New York, New Jersey, Ohio, and even the slave State of Delaware, passed strong resolutions against the further introduction of slavery into the Territories and against the admission of new slave States. From the South came protests against slavery restriction as an outrageous violation of rights guaranteed to the States by the Constitution.

Why was the North so bitterly opposed to slavery extension? Because it had its face turned to the West, and it did not enjoy the prospect of seeing the Western country turned over to slavery. Accustomed to a system of free labor, it believed that freemen would not work side by side with slaves. And why was the South in favor of slavery extension? Because it, too, had its face turned to the West. Southern planters, as we have seen, were already crossing the Mississippi with their slaves, and they wished to continue to cross with them. Profit from the cultivation of cotton depended largely upon the ability of the planter to take his slaves from exhausted fields and put them to work upon virgin soil, and by 1820 planters foresaw that the time was not very far distant when most of the best land east of the Mississippi would be approaching a state of exhaustion. The economic question raised by the Tallmadge amendment was this: Should the West be the scene of small farms owned and tilled by freemen, or a scene of plantations and slaves? There was a political as well as an economic question involved. Northern leaders saw that if the boundless West was to be built up into slaveholding States their influence in national affairs would disappear; while to the minds of Southern leaders a free West would spell the doom of the political supremacy which the South had been holding and was bent on maintaining.

When the Missouri question was taken up by the new Congress in December, 1819, it was soon coupled with the question of admitting the District of Maine as a State. This so-called "District" had just received from Massachusetts, of which State it was a part,¹

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Why the
North and
the South
Disagreed

Maine and
Missouri

¹ See p. 29.

permission to form a government of its own if its people desired to do so. As the sentiment of the voters was strongly in favor of separation, Maine promptly applied for admission into the Union. The House passed a bill admitting her, but when the bill came to the Senate that body voted to couple the admission of Maine with the admission of Missouri as a slave State. At first the House refused to accept this arrangement, but soon it was found impossible to consider the admission of Maine and Missouri separately. Southern members were unwilling that Maine should be admitted unless an enabling act for Missouri should be passed at the same time, and Northern men would not agree to any enabling act for Missouri which did not contain an antislavery restriction. The debate on the question was acrimonious in the extreme and threatened to be interminable. At last a compromise was agreed upon: it was decided to admit Maine on condition that Missouri should come in as a slave State and on the further condition that in all of the rest of the territory belonging to the United States west of the Mississippi and north of the parallel $36^{\circ} 30'$ slavery should be forever prohibited.

This compromise—the first Missouri Compromise—did not end the controversy or settle the question. Maine, it is true, was promptly admitted in March, 1820; but Missouri had to wait until her people had framed a constitution acceptable to Congress. When the constitution was submitted to Congress late in 1820 it was found to contain a clause that made it the duty of the State legislature “to pass such laws as may be necessary to prevent free negroes or mulattoes from coming to or settling in the State under any pretext whatever.” This clause was extremely obnoxious to Northern leaders, who regarded it as in opposition to the clause in the Federal Constitution which declares that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States. The House refused to pass the admission bill with the objectionable clause, and a deadlock followed. The excitement over the Missouri question now broke forth again with increased intensity. Southern leaders charged Northern members with bad faith, accusing them of having secured the admission of Maine while still retaining the power to exclude Missouri. In order to check recrimination and relieve the situation of its asperity, Henry Clay and others effected a compromise—known as the second Missouri Compromise—by which Missouri was required,

through her legislature, to declare that the objectionable clause should never be construed as giving authority for the passage of any laws by which citizens of any of the States should be deprived of their rights under the Federal Constitution. This was acquiesced in, although in a contemptuous fashion. Accordingly, in the summer of 1821 Missouri was proclaimed as a State by President Monroe.

Although the country was stirred to its depths by the Missouri question the settlement arrived at ought not to have caused surprise. At the time of the Missouri Compromise the line which

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Balancing
Slave States
Against
Free States



The result of the Missouri Compromise

separated slavery from freedom was Mason and Dixon's Line and the Ohio River. The establishing of parallel $36^{\circ} 30'$ as the boundary line between slave territory and free territory was only extending westward a line of demarcation that already existed. Furthermore, in bringing Maine in as a free State to offset Missouri as a slave State, Congress was only following a well-established policy of preserving a balance between the North and the South. The admission of Kentucky as a slave State had been an offset to Vermont as a free State; Ohio had been an offset to Tennessee; Indiana to Mississippi; Illinois to Alabama. This balancing of free States against slave States had been followed so regularly that

with the admission of Maine and Missouri the equilibrium was perfect: there were exactly twelve free States and twelve slave States.

Nevertheless, the Missouri Compromise was by no means satisfactory either to the North or to the South. To vast numbers of Northern people the compromise seemed to be a surrender to the slave power, and among the lovers of freedom in the Northern States there were deep mutterings of disapproval. On its face the compromise was indeed a Southern measure, and the immediate advantage was with the South, for it gave that region an additional State at once, while another, Arkansas, would almost certainly be admitted in a very short time. Yet in the end the South lost by the compromise, for as an offset to the two or three slave States that might be organized south of $36^{\circ} 30'$ there was room north of the line for seven or eight States. Furthermore, it was within the range of possibility that free States might arise south of the line, for there was nothing in the compromise to forbid this.

It was a sincere hope of men in all parts of the country that the Missouri Compromise would settle the slavery question for all time. But far-sighted men indulged in no such illusions. To the mind of John Quincy Adams, the Missouri question was "a mere preamble—a title page to a great tragic volume." Jefferson, too, saw trouble ahead. "This momentous question," he said, "like a fire bell in the night, awakened me and filled me with terror. I considered it at once the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated, and every new irritation will mark it deeper and deeper." It was not Peace standing on the Missouri line with healing in her wings that statesmen saw, but Electra with snakes hissing in her head and the torch of discord in her hand. Still, in spite of such misgivings, the compromise was accepted by all sections as a basis upon which slavery and freedom might henceforth live together in peace, and good citizens everywhere made it the rule of their lives to forget the slavery question and lull it to sleep whenever it cried out. For nearly thirty years the question slumbered.

A Southern
or a
Northern
Measure?

How the
Comprom-
ise Was
Regarded

THE ACQUISITION OF FLORIDA

While Congress was threshing out the Missouri question the executive branch was busy with the Florida question. Between 1803 and 1819 the desire of the United States to possess the Floridas was so keen and persistent "that it amounted almost to a disease corrupting the moral sense of each succeeding administration." From the beginning Jefferson contended that West Florida was a part of the Louisiana which was ceded by Spain to France and that when the United States purchased Louisiana West Florida went with the purchase. The dispute which arose was with Spain, not with France; for France had by the cession of Louisiana given up all her American territory, whatever it might be.

In 1810, when an insurrection against Spanish authority took place in West Florida and threw the region into a condition of anarchy, Madison felt justified in asserting the American claims and directed the governor of Orleans Territory to take possession of the district between the Mississippi and the Perdido and govern it as a part of his own Territory. Spain protested but was too weak to offer effective resistance; she could neither govern the region nor defend it, and it passed into the possession of the United States. A fierce diplomatic controversy raged over West Florida, but its acquisition was due less to the diplomats than to American pioneers who were pressing down into a region which physiographically belonged to the United States and which moreover was an integral part of the cotton kingdom that was rapidly encircling the Gulf of Mexico.

But Americans also coveted the great peninsula of East Florida, which also physiographically belonged to the United States. A reason for spreading the power of the United States over East Florida was furnished by the Seminole Indians. These wandering savages would rush up into Georgia, destroy property and human lives, and then return to their hiding-places in Florida. In these raids they were assisted by negro slaves who had escaped from their masters in Georgia. Spain was bound by treaty stipulations to restrain by force all hostilities on the part of the Indians living within her boundaries, but she did not restrain them; and President Monroe took upon himself the task of bringing them to terms.

In 1817 Andrew Jackson was sent against the Seminoles, and they were severely punished. During the course of the campaign

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XIIIAmerican
Claims to a
Portion of
Florida
AssertedEast
FloridaArbuthnot
and
Ambrister

Alexander Arbuthnot and Robert Ambrister, both British subjects, were arrested and brought to trial on the charge of acting as spies; and as a result of Jackson's insistence they were ruthlessly executed upon suspicion rather than evidence. The scandalous treatment of these two men aroused such indignation in England that in the opinion of the prime minister "war might have been produced by holding up a finger." But the affair quickly blew over.

After reducing the Seminoles the American forces took virtual possession of Florida. Spain was informed by our Government that she must either govern the peninsula in a proper manner or "cede to the United States a province of which she retained nothing but the nominal possession, but which is, in fact, a derelict, open to the occupancy of every enemy, and serving no earthly purpose than as a point of annoyance to them. The duty of this Government to protect the persons and property of our fellow-citizens on the borders of the United States is imperative—it *must* be discharged." This was sharp language and its implications were severe. But Spain was powerless either to comply with the requirements laid down by Monroe or to oppose him. Accordingly in 1819 she consented to sell what she could not hold, entering into a treaty by which she formally ceded both East and West Florida to the United States for a payment of about \$5,000,000. Thus all claims of Spain to territory east of the Mississippi were extinguished.

In addition to ceding Florida the treaty of 1819 defined a line of demarcation between the United States and Mexico, which at the time belonged to Spain. This was an irregular line running from the mouth of the Sabine River to the forty-second parallel of latitude and along that parallel to the Pacific, the United States renouncing forever all claims to the territory west and south of this line, and Spain in like manner relinquishing all claims to territory north and east of it. Thus the western boundary of Louisiana was now definitely marked out. The line did not give Texas to the United States, and for this reason the treaty was severely criticized by Clay and others; but Monroe would not insist upon Texas, for he feared that its immense possibilities for slavery extension would produce consternation among the antislavery people. The admission of Missouri as a slave State was in his opinion as great a concession to the slaveholding interests as it was wise to make at the time.

Spain Sells
Florida
to the
United
States

The
Boundaries
of
Louisiana
Defined

THE MONROE DOCTRINE

The line of demarcation agreed upon by the treaty of 1819 established the southern boundary of Oregon.¹ But what was the northern boundary of Oregon? It devolved upon Great Britain, Russia, and the United States to answer this question, and while diplomacy was trying to find an answer there came to the front an international issue of transcendent importance. Russia during the latter half of the eighteenth century had secured a firm foothold in the region now known as Alaska, and early in the nineteenth century the mammoth empire was extending its power southward along the western coast of North America. By 1812 Russians had worked their way down the Pacific coast as far as California where they built a fort. In 1821 the czar issued a ukase asserting Russia's right to territory along the Pacific coast as far south as the fifty-first parallel, and forbidding the vessels of other powers to approach within one hundred miles of the territory claimed. This was an encroachment upon the Oregon country, which, it will be remembered, was held at this time in joint occupation by Great Britain and the United States.² Both of these countries immediately protested against the imperial ukase. The American Government declared its dissent in the strongest terms, informing the Russian minister in July, 1823, that "we should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for any new colonial establishments." This firmness had its effect. Russia consented to a treaty by which she agreed to make no settlements on the Pacific coast south of 54° 40', the United States in turn agreeing to make no establishments north of that line. Thus the advance of Russia on the coast of the Pacific was checked.

In announcing to Russia that the American continent was no longer a place for new European colonial establishments our Government used bold language, but even a bolder and fuller expression on the same subject was presently forthcoming. The advance of Russia upon American territory was connected with a larger problem with which Monroe had to deal. Early in the century the Spanish colonies of South America had begun to rebel and throw

CHAP.
XIIIThe
Advance
of RussiaThe Spanish
Colonies
Throw off
the Yoke¹ See p. 248.² See p. 230.

CHAP.
XIIIThe Holy
Alliance

off the yoke of the mother country, with the result that by 1822 Chile, Peru, Buenos Aires, Colombia, and Venezuela had won their independence and had been recognized by the United States as free and independent states. But their independence was threatened by the so-called Holy Alliance, a combination of European powers formed soon after the downfall of Napoleon with the professed purpose of uniting the countries of Europe into a Christian brotherhood, but with the real purpose of perpetuating the power of existing rulers and preventing the growth of liberal political movements in Europe. All the sovereigns of Europe except the pope and the sultan of Turkey were invited to join the alliance, and the invitation was generally accepted. Great Britain, however, declined to join.

What
European
Interven-
tion Would
Mean

In 1823 it was plain that the Holy Alliance was planning to intervene in South America with the view of crushing the new-born republics and restoring them to Spain. The scheme aroused the fears of our statesmen. What would be the result of the proposed intervention? What would happen if the infant republics should be subjugated by armies sent over from Europe? In the opinion of John Quincy Adams, Monroe's secretary of state, the results would be disastrous. California, Peru, and Chile, he thought, would fall to Russia; Cuba would go to England, for England at the time coveted Cuba; and Mexico would go to France. Thus the United States would be hemmed in by three of the great nations of Europe, and genuine American growth would be dangerously circumscribed. For these reasons Adams set his face firmly against the plans of the alliance, and urged the President to warn Europe against any attempt at intervention in the western hemisphere.

Why
England
Opposed In-
tervention

Great Britain, too, was opposed to the plans of the Holy Alliance. Through the British secretary for foreign affairs, George Canning, a proposal was made that Great Britain and the United States jointly declare their opposition to the threatened interference. Why did England wish to prevent the restoration of the revolted Spanish colonies? Because there was much real sympathy among the English people for liberal government, and also because English merchants did not wish to surrender the markets they had found in the newly-opened ports of South America. This commerce had grown to be considerable in volume, but it would be lost if the old Spanish authority should be set up again; for Spain, like

England herself, regarded colonial trade as an exclusive privilege of the mother-country.

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XIII

Monroe took kindly to Canning's proposal for a joint declaration against the threatened intervention, for he had consulted with Jefferson and with Madison and had found them both in favor of coöperating with England. "By acceding to her [England's] proposition," Jefferson said, "we bring her mighty weight into the scale of free government and emancipate a continent at one stroke which might otherwise linger long in doubt and difficulty. Great Britain is the nation which can do us the most harm of any one or all on earth; and with her on our side we need not fear the whole world." But the case did not present itself thus to Adams. The sturdy New Englander did not want to see the United States throw itself into the arms of England. He stoutly insisted that the protest against intervention be made independently of England. And why? Because to join with England would be to entangle the United States with the affairs of Europe, and thus violate a well-established policy of American diplomacy. "The ground that I wish to take," he said, "is that of earnest remonstrance against the interference of European powers by force with South America, but to disclaim all interference on our part with Europe; to make an American cause and adhere inflexibly to that." In the end the view of Adams prevailed; the protest was made independently of England.

Monroe's
Protest

America's policy was announced in a message which Monroe sent to Congress on December 2, 1822. In the message the President said:

MONROE'S MESSAGE ENUNCIATING THE MONROE DOCTRINE

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated. Of events in that quarter of the globe with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly

in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal shew that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quar-

ter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

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The policy outlined in this famous message became known as the Monroe Doctrine. It is very properly called a "doctrine," for it has no prescribed sanction, and its assertion is left to the exigency which may invoke it. To the world to which the message was addressed the Monroe Doctrine meant in effect:

The
Meaning of
the Monroe
Doctrine

(1) That the United States would not look with favor upon the planting of any new European colonies on this continent.

(2) That the United States would not meddle in the political affairs of Europe.

(3) That the governments of Europe must not meddle in American affairs.

The success of the Monroe Doctrine was immediate. It met with a warm response in American hearts, and it was received with respect by the nations of Europe. The Holy Alliance abandoned its plan of intervention, and the nations of Europe ceased to look to America as a place for planting new colonies. It turned out that the doctrine was not the affair of a day. It had within it a principle of policy which was essentially permanent. "The virtue of the Monroe Doctrine," says Admiral Mahan, "is that through its correspondence with the natural necessities of the United States it possesses an inherent principle of life, which adapts itself with the flexibility of a growing plan to the successive conditions it encounters. One of these conditions, of course, is the growing

A Perma-
nent Inter-
national
Policy

strength of the nation itself." To the far-seeing mind of Jefferson the doctrine "set the compass and pointed the course which we are to steer through the ocean of time."

INTERNAL IMPROVEMENTS: THE TARIFF

Internal
Improvements

Now that the plans of the Holy Alliance had been baffled, questions of foreign policy fell into the background and domestic issues came to the front. A most important question related to the subject of internal improvements. Should canals and roads be constructed and watercourses improved by the National Government and at the expense of the National Treasury? This question came up as early as 1808 when Gallatin made a celebrated report proposing a complete national system of roads and canals. But the embargo and commercial restrictions resulted in such a depletion of the national revenue that Gallatin's scheme was indefinitely postponed. In 1816 the subject was revived when Calhoun reported a bill providing funds to be used in the construction of roads and canals. It was the duty of Congress, said Calhoun, to "bind the republic together with a perfect system of roads and canals. Let us conquer space. It is thus that a citizen of the West will read the news of Boston still moist from the press. The mail and the press are the nerves of the body politic." Calhoun's bill was passed, but when it reached President Madison it was vetoed on the ground that Congress had no power under the Constitution to undertake the proposed plan of improvements. This was also the view of Monroe, who in his first annual message stated his belief that the Constitution did not empower Congress to establish a system of internal improvements. He was, however, in favor of such improvements, and he recommended an amendment to convey the power. The Constitutional scruples of Congress were not so strong as those of the President: for in 1822 it passed a bill making a trifling appropriation for repairing the National Road. Monroe, faithful to his principles of strict construction, replied with a veto. Still the advocates of internal improvements continued to press their cause. In 1825 the eloquence of Clay secured the passage of a bill extending the National Road¹ to Zanesville. The act was so framed as to meet the constitutional objections of the President; and Monroe good-naturedly signed it on the last day of his official

The
National
Road
Extended

¹ See p. 220.

term. Thus, although the demand for internal improvements under national auspices was insistent, the actual achievements in that direction were small.

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Another domestic matter requiring a large share of attention during Monroe's second term was the tariff. It will be remembered that the tariff of 1816 had had some protective features. But it had failed to give the protection that was hoped for. English goods continued to be imported in large quantities, and American manufacturers found successful competition impossible. Accordingly there arose a cry for higher duties, and along with this cry there was a demand that protection be adopted as a permanent American policy. The question was brought squarely before Congress in 1824 when a bill was introduced increasing the duties on wool and woolen goods, on hemp, on pig-iron, and on iron manufactures.

A Demand
for a
Higher
Tariff

In the debate on the bill champions of protection were pitted against champions of free trade. The protectionists were led by Clay. "Two classes of politicians," he said, "divide the people of the United States. According to the system of one, the produce of foreign industry should be subjected to no other impost than such as may be necessary to provide a public revenue; and the produce of American industry should be left to sustain itself, if it can, with no other than incidental protection. According to the system of the other class, whilst they agree that the imports should be mainly relied on as a fit and convenient source of public revenue, they would so adjust and arrange the duties on fabrics, as to afford a gradual but adequate protection to American industry, and lessen our dependence on foreign nations by securing a certain and ultimately a cheaper and better supply of our own wants, from our own abundant resources. Both classes are equally sincere in their respective opinions, equally honest, equally patriotic and desirous of advancing the prosperity of the country. . . . We must speedily adopt a genuine American policy. Still cherishing the foreign market let us create a home market to give further scope to the consumption of the products of American industry. The creation of a home market is not only necessary to procure for our agriculture a just reward for its labors, but it is indispensable to obtain a supply for our necessary wants. If we cannot sell we cannot buy."

Clay on
Protection

The measure was opposed by Daniel Webster, who spoke for the importers and the ship-owners, who regarded themselves as hampered rather than helped by the tariff. "There is no foundation,"

Webster
Opposes
Protection

said Webster, "for the distinction which attributes to certain employments the peculiar appellation of American industry; and it is, in my judgment, extremely unwise to attempt such discrimination. . . . Let it be remembered that our shipping employed in foreign commerce has at this moment not the shadow of government protection. It goes abroad upon the wide seas to make its own way, and earn its own bread in a professed competition with the whole world. Its resources are its own frugality, its own skill, its own enterprise. This right arm of the nation's safety, strengthens its own muscles by its own efforts and by unwearied exertion in its own defense becomes strong for the defense of the country." The bill was also opposed by some Southern representatives on constitutional grounds, their argument being that the power to impose taxes and duties was given to Congress for the purpose of raising revenue, not for the purpose of protection. The protectionists carried the day; the bill was passed, although in both the Senate and the House of Representatives the vote was close. Members from the Middle States and the West for the most part supported the bill, while those from New England and the South were for the most part against it.

THE END OF CAUCUS RULE

When Monroe signed the tariff bill of 1824 he was rounding out one of the most successful administrations in our history. Not a single cloud was darkening the retrospect. "Monroe's presidential career," says F. J. Turner, "descended to a close in a mellow sunset of personal approval. He had grown in wisdom by his experiences, and although not a genius he had shown himself able by patient and dispassionate investigation to reach judgments of greater value than those of more brilliant but less safe statesmen. Caution, fair-mindedness, and magnanimity were attributed to him by those who were engaged in bitter rivalry for the office which he now laid down. He was not rapid or inflexible in his decisions between the conflicting views of his official family; but in the last resort he chose between policies, accepted responsibility, and steered the ship of state between the shoals and reefs that underlay the apparently placid sea of the Era of Good Feeling."

The retiring President was the last of the "Virginia dynasty." Washington, Jefferson, Madison, Monroe—this was a group of men

"who for ability, character, spirit, and purpose are not outshone and have no precise counterpart in any other company of illustrious characters appearing in like space of time and similar extent of territory." But by 1824 the country was growing tired of the "Virginia dynasty" and there was a demand for new leaders. Of these the supply was abundant. As early as 1822 there were already sixteen or seventeen candidates for the succession to Monroe. Gradually, however, minor candidates were dropped and by 1824 the only contestants for the Presidential office who succeeded in getting any electoral votes were John Quincy Adams, Henry Clay, Andrew Jackson, and W. H. Crawford, Monroe's secretary of the treasury. No Virginian even offered himself as a candidate.

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With the disappearance of the Virginia leadership there disappeared also the system of nominating candidates by a Congressional caucus. Crawford, it is true, was nominated in 1824 by a Congressional group which professed to be a regular caucus but which, in fact, was only a Congressional clique. Of the 261 senators and representatives who composed the membership of Congress only sixty-six took part in the meeting which nominated Crawford. The others refused to participate for the reason that the old plan of nomination by a Congressional caucus was falling into disrepute and other methods were being adopted. Clay was nominated by the legislatures of Kentucky, Missouri, Illinois, and Ohio; Adams by the legislatures of most of the New England States; Jackson by the legislature of Tennessee, by a mass-meeting in Blount County, Tennessee, and by numerous conventions in various parts of the country. Everywhere people were ignoring the Congressional caucus and demanding more direct forms of nomination. Even the national convention was foreshadowed, for in 1824 the voters of Lancaster County, Pennsylvania, declared in favor of a convention of delegates from all the States of the Union. They acknowledged, however, that the plan was "impracticable from the immense extent of our country and from the great expense necessarily incident to an attendance from the extreme parts of the United States."

The End of
Caucus
Rule

That the caucus system had received its death blow was revealed by the result of the election. Crawford, the caucus candidate, obtained less than one sixth of the electoral votes. But if Crawford failed of election so did all the other candidates; when the electoral votes were counted it was found that Jackson had received ninety-

The
Election of
John
Quincy
Adams

nine, Adams eighty-four, Crawford forty-one, and Clay thirty-seven. Since no candidate had a majority it was necessary under the terms of the Constitution for the House of Representatives to decide among the highest three candidates—Jackson, Adams, and Crawford. As a majority of States was necessary to an election, some one of the three had to secure the votes of thirteen States. Clay was ineligible for election; but he could throw his strength where he wished, and he threw it to Adams. When the vote of the House was taken, it was found that Adams was the choice of thirteen States, Jackson of seven, and Crawford of four. Thus Adams, having received the necessary majority of States, was declared elected.

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1793 Presidential Succession: Congress enacts that in case both the President and Vice-President shall be unable to serve, the president of the Senate shall succeed, and then the speaker of the House of Representatives.
- 1795 Yazoo frauds: In 1795 the legislature of Georgia granted lands to four associations, known as the Yazoo Companies, for \$500,000. Estimated at 20,000,000 acres, the grant actually contained 35,000,000 acres. Since virtually all the members of the legislature were interested in the transaction, there was a great deal of indignation, and in the following year the concession was annulled. In 1802 the Supreme Court of the United States upheld the contention that since the original grant was in the nature of a contract the legislature in 1796 acted beyond its power in annulling it. The lands were sold and a sum of \$5,000,000 was appropriated for the payment of the claims of those who held shares in the land companies concerned.
- 1800 Union of Great Britain and Ireland effected.
Seat of the Government transferred from Philadelphia to Washington.
- 1802 Congress passes a law establishing a military academy.
- 1803 The blacks of Haiti are successful against the French, who are driven from the island.
- 1804 First locomotive steam engine used on the Merthyr road in Wales.
Stephen Decatur destroys the *Philadelphia*, which had been captured by the Tripolitans.
- 1805 Nelson defeats the French and Spanish fleets off Trafalgar.
Zebulon Pike explores the head waters of the Mississippi.
Berlin Decree. (An edict issued from Berlin, November 21, 1806, by Napoleon I declaring a blockade of the British Islands, ordering all Englishmen in countries occupied by French troops to be treated as prisoners of war, and forbidding all trade in English merchandise. The decree was in retaliation against a British Order-in-Council issued May 16, 1808, blockading the coasts of Germany, Holland, Belgium, and France from Brest to the Elbe.)

- 1806 Zebulon Pike with a few soldiers explores the Louisiana country toward the southwest, ascending the Missouri and Osage into Kansas and proceeded south to the Arkansas, which they followed until they came to Pueblo, Colorado, where Pike gave his name to one of the highest peaks of the Rockies.
- 1808 Milan Decree. (This was issued by Napoleon on December 7, declaring as "denationalized," whether found in Continental ports or on the high seas, any vessel which should submit to search by a British vessel, or should touch at or set sail to or from Great Britain or any of her colonies.)
- The "Quids" nominate Monroe. This faction of the Republican party was led by John Randolph.
- 1812 York, Canada, captured by the Americans, April 27.
British repulsed at Sacketts' Harbor.
Slaughter of many men, women, and children at Fort Mimms by Creek Indians, August 30.
General Harrison defeats British and Indians at Battle of the Thames, October 5. The chief, Tecumseh, is killed.
- 1814 General Jackson seizes Pensacola.
- 1815 "The North American Review" established.
Wellington victorious at Waterloo.
United States and Great Britain enter into an agreement limiting the armed force that each country shall maintain on the Great Lakes.
Library of Congress. (Congress purchased the private library of Thomas Jefferson, consisting of 6,700 volumes, for \$23,950. This was the nucleus for the present Library of Congress. After 1815 an annual appropriation was made for the purchase of books for the library.)
- 1817 American Colonization Society was formed at Washington. (Its purpose was to encourage the emancipation of slaves by providing a place outside the United States to which they might emigrate when set free. Free negroes were first sent to Sierra Leone; afterwards to Liberia, which declared itself an independent republic in 1847.)
- 1818 House of Representatives passes a resolution declaring that Congress has no power to appropriate money for the construction of roads and canals. (In 1823 Congress made the first appropriation for the improvement of rivers and harbors. In 1825 Congress authorized the subscription of \$300,000 to the stock of the Chesapeake & Delaware Canal. After 1861 both political parties recognized the power of Congress to appropriate money for internal improvements.)
- 1819 First passage of the Atlantic by steam; the *Savannah* making the voyage between New York and Liverpool.
The Dartmouth College Case is decided by the Supreme Court of the United States. (It settled the legal principle that a charter granted to a private corporation is a contract which cannot be altered without the consent of those who hold it unless the power of revision is reserved to the legislature by a clause in the charter or a general law of the State. Daniel Webster conducted the case for the plaintiff.)
- 1820 George IV becomes king of England.
- 1821 Benjamin Lundy begins to publish his "Genius of Universal Emancipation."
- 1822 Brazil proclaims her separation from Portugal.

1824-25 Lafayette visits America at the request of Congress. (He was received with enthusiastic delight by the people and was presented with a section of land and \$200,000.)

Bolivar made dictator of Peru; the Spanish power in South America is completely destroyed.

Suggested Readings

Defeat of King Caucus: Stanwood, Vol. I, pp. 125-141.

Missouri Compromise: Turner, pp. 149-171; Gordy, Vol. II, pp. 407-444.

Panama congress: McMaster, Vol. V, pp. 441-443.

Monroe Doctrine: Turner, pp. 199-223; Gordy, Vol. II, pp. 484-496.

Early protective movement: Taussig, pp. 68-108.

Holy Alliance: Robinson and Beard, Vol. I, pp. 343-362.

XIV

THE JACKSONIAN ERA

WHEN Monroe went out of office leaving the Era of Good Feeling behind him, the country entered upon a time of stormy politics which may fittingly be called the Jacksonian Era. During the sixteen years between 1825 and 1841 Andrew Jackson was the overshadowing figure in public affairs.

JACKSON THE MAN

What were the characteristics of this man who exerted such a powerful influence upon his time? We know the man well, for his robust and irresistible personality is the pleasing theme of a long and ever-lengthening train of biographers. No other American, not even Washington or Lincoln, has been written about so much.

Jackson was a child of the frontier. He was born of Scotch-Irish parents in North Carolina in 1767, but the greater part of his life was spent in the backwoods of Tennessee. As soon as his little hands were able to do any work he began to toil for a widowed mother. He went to school in a log school-house, where he learned the three R's. But he did not learn them well, for his early education was sadly deficient. He could not spell correctly and he could not write good English. In his early teens he caught the war spirit from the battles of the Revolution which were being fought around him. The youngster himself took part in the strife. "I was in one skirmish," he says, "and there they caught me, along with my brother Robert. A British lieutenant tried to make me clean his boots, and cut my arm with a sabre when I refused. After that they kept me in jail about two months, starved me nearly to death, and gave me the smallpox." When Jackson reached manhood he went to Tennessee and became a lawyer. He served as a public attorney and as a judge. But he never drank deep of the law, and he never acquired the judicial mind. In the rough customs of the frontier Jackson participated with zest. "He fought cocks," says his biographer, J. S. Bassett, "raced

A States-
man of the
Frontier

horses, gamed if he felt like it, quarreled frequently, held himself ready to fight duels, and, when the occasion arose, indulged in oaths which were the acme of profanity. None of these things by the standards of the place made a man less a gentleman. They rather added to his standing; and inasmuch as Jackson excelled in all of these his standing was secure. His horses were the fastest, his cocks were the most noted, he would quarrel with none but men of distinction, and his great oaths became the despair of the young braggarts of the valley."

In 1796 Jackson, as the first representative from Tennessee, appeared on the floor of Congress, a "tall, lank, uncouth-looking personage, with long locks of hair over his face and a cue down his back tied in an eelskin." Two years later he was in the Senate, where he came under the calm eye of Vice-President Jefferson who wrote of him: "His passions are terrible; he could not speak on account of the rashness of his feelings. I have seen him attempt it repeatedly and as often shake with rage." Jackson outgrew this roughness and violence, and in time his temper was brought under control and his manners became those of a polished gentleman. But he never overcame the violence of his own will. This was so strong that it was terrible: when he once determined to do a thing, he hurried on to its accomplishment, ruthlessly trampling upon friends and foes alike when they stood in his way. This inexorable will was always working for something that Jackson thought was right; for he was always perfectly sure that he was right. "There were but two colors in the world for him," says J. P. Gordy, "black and white; white was his color and black was the color of those who disagreed with him. He was entirely right; his opponents were entirely wrong, and the case was so plain that he was sure they knew that they were wrong and only pretended to believe what they did not believe. Absolute submission to his will in relation to any matter on which he had set his heart was the price of his friendship."

We have already seen Jackson as a warrior visiting his wrath upon the Indians of the Southwest, and overcoming the British through the skill of his generalship. But Jackson was more than a warrior. He was a born leader of men and a prince of politicians. In fact, in almost every relation of life his qualities were of the flaming sort. "Jackson," says Professor Burgess, "was ignorant and unschooled, indeed, but virtuous, brave and patriotic beyond

any cavil or question; faithful and devoted in his domestic life, absolutely unapproachable by pecuniary inducements; earnest, terrible in the inflexibility of his purposes; unflinchingly and recklessly daring in what he felt to be his duty; hostile to all gradations of power and privilege; the military hero of the country." Such was the wilful, headstrong, forthright character who came out of the West to dominate the politics of the country at a critical period of our history.

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XIV

JACKSON'S CAMPAIGN AGAINST ADAMS

The period designated as the Jacksonian Era is made to include the years in which John Quincy Adams was President, and rightly, for the administration of Adams was little else than a political battle with Andrew Jackson and his friends. No sooner had Adams taken his seat on March 4, 1825, than he found himself the object of Jackson's enmity. The two men had long been friends, but friendship meant nothing to Jackson when it was an obstacle to his desires. The chief cause of his hostility to Adams was the appointment of Henry Clay as secretary of state. Here, declared Jackson, was a corrupt bargain: Clay had virtually elected Adams President and had done so because Adams had promised to give Clay the portfolio of state. Jackson was wholly wrong, as history shows; no evidence has been found to substantiate his charge. Clay in the most sweeping manner denied that there had been a bargain of any kind for any purpose. The charge wounded Adams deeply, yet his own character was a refutation of it. John Quincy Adams was as honest and as straightforward as any man in public life, and was entirely incapable of making a corrupt bargain of any kind. His appointment of Clay was an act of duty; he believed the brilliant Kentuckian would make a good secretary of state and would give strength to the cabinet. But Jackson got the belief into his head that a bargain had been made, and that was enough. He spread charges broadcast and made the country ring with denunciations of Adams and Clay, characterizing their political partnership as a coalition of the "Puritan and the blackleg."

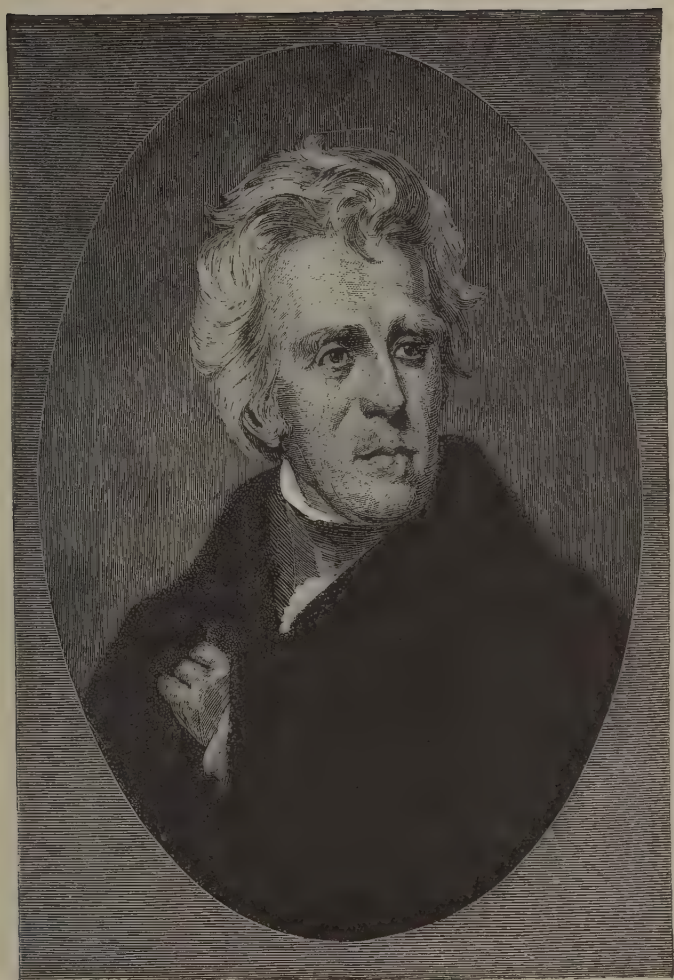
The
"Puritan
and the
Blackleg"

Jackson had another reason for opposing the Adams administration: he believed that in fairness Adams ought never to have been elected. Jackson had received the highest number of electoral votes in 1824, and he felt that he was the people's choice. Whether

The People
Must Have
Their Will

he received an actual majority of the popular vote or not cannot be determined, for figures showing the popular vote cannot be presented and no statement indicating the will of the people at this election has any great significance. Whatever were the facts in the case, Jackson took it for granted that the outcome of the election had been a defeat of the popular will. He resolved, accordingly, that the people should have their will and that he should be their leader, a resolution that simply meant that he was going to have his own will. In October, 1825, he resigned his seat in the Senate to go forth as the people's champion. Announcing himself as the Presidential candidate for election in 1828 he went directly before the people and asked them for their votes. Thus the candidacy of Jackson was a thorn in the flesh of the Adams administration from its beginning to its end.

During the Era of Good Feeling American politics ran along a single stream, the only party—if there was a party at all—being composed of those who called themselves Republicans. The entrance of Jackson was bound to produce a division of parties on personal grounds. Soon there was a Jackson party and an anti-Jackson party. The Jackson men, claiming to be simon-pure Republicans of the Jeffersonian school, assumed the name of Democrats. In reality they did not constitute a new party with distinct principles; they were simply partisans of Andrew Jackson. They rallied around their leader, not because he was a thinker who entertained certain political views, but because they were drawn to him by his strong personal qualities. The anti-Jackson men rallied around Adams and Clay, calling themselves National Republicans and declaring themselves in favor of a protective tariff and a system of public improvements at national expense. In reality they cared little for party names or party principles; all they wanted was to prevent Andrew Jackson from coming into power. And all the Democrats wanted was to drive Adams from power. "As for this administration," said a prominent Jackson leader, "we will turn them out as sure as there is a God in heaven." "But suppose," replied an Adams man, "that they consult the public good and pursue a course that you think right?" "I don't care," replied the Jackson man, "for, by the Eternal, if they act as pure as the angels that stand at the right hand of the throne of God, we will put them down!"



Andrew Jackson

The Jackson men opened fire upon the administration at the earliest opportunity. Adams in his inaugural address announced himself in favor of internal improvements, and in his first message to Congress he said: "The great object of the institution of civil government is the improvement of those who are parties to the social compact. Roads and canals are among the most important means of improvement. But moral, political, and intellectual improvement are duties assigned by the Author of our existence to social no less than to individual man. For the fulfilment of these duties governments are invested with power." For this reason he urged Congress to multiply roads and canals, endow a national university, and make appropriations for scientific research and for the erection of an astronomical observatory, a "light-house of the skies."

CHAP.
XIVAdams and
Internal
Improvements

To recommend such a program may indeed have been enlightened statesmanship but it was political bungling. The recommendations, foreshadowing as they did a tremendous enlargement of the Federal power, gave the political shivers to all Republicans of the strict-construction school and furnished the Jackson men with a powerful weapon of opposition. The cry of Federal encroachment was raised and was hearkened to. The old-fashioned Republicans in Congress joined the Jacksonians, with the result that the administration was thwarted at every step. In the House Adams had a slight majority upon which he could rely, but in the Senate he was blocked. Not one administration measure of importance was carried through by Congress during the four years that Adams was President. Seldom, in fact, during these years did Congress so much as vouchsafe a respectful consideration of the measures proposed. For the first time in our history the President was without a Congress, or, to say it in different words, he was without a party.

A President
Without a
Party

While the President and Congress were thus at crossed swords there was little opportunity for anything except wrangling and political jockeying. A vast amount of time was frittered away on the subject of the Panama mission. President Adams in his first message informed Congress that he had accepted an invitation to send delegates to a Pan-American Congress to be held at Panama. The chief purpose of this congress was to form a union of the new republics of South America which would be able to ward off any

The
Panama
Mission

aggression that might be made by Spain or other nations. The plan was warmly supported by Adams and Clay, and largely for that reason was violently attacked in Congress by the friends of Jackson. The opposition, however, was not entirely factious; for one of the topics to be discussed at the proposed Congress related to the slave-trade, and Southern members as a matter of principle objected to submitting any subject of slavery for discussion by an international tribunal. Thus Hayne of South Carolina took the ground that slavery must be treated as a purely domestic question. "It concerns," said he, "the peace of our own political family and therefore we cannot permit it to be touched. Let me solemnly declare once for all that the Southern States never will permit any interference whatever in their domestic concerns, and the very day on which that unhallowed attempt shall be made by the federal government we will consider ourselves driven from the Union." Still, after an almost interminable debate a bill making an appropriation to meet the expenses of a mission was passed. Two commissioners were appointed, but they took no part in the congress. One of them died on the way to Panama and the other reached the isthmus after the congress had adjourned. Thus the Panama mission came to grief.

An
Unexpected
Victory

About the time Jackson's long campaign against Adams was drawing to a close the tariff question came up in a form that was extremely embarrassing to the Democrats. The North and West were demanding a tariff with high protective features while the South was setting its face firmly against protection. How were the Jackson men to frame a bill that would please all the sections? As a pretended solution of the problem they brought in a bill which carried the protective principle beyond any point it had yet reached. The duties on hemp, pig-iron, wool, coarse cotton and woolen goods, iron manufactures, sugar, and salt were so high that they were prohibitive. It was the belief of the Jackson men that the bill would not pass. If it should be defeated, and this was their hope, they counted on gaining votes for their chief by proclaiming from the housetops that they had introduced and defended a measure such as the protectionists desired. After a great deal of manœuvring for political advantage both by the Jackson men and the Adams men, the bill in an amended form was passed. The result was an unexpected victory for the Jackson men, for it turned out that the

new tariff was acceptable in the Middle States and in the West, the two regions upon which Jackson relied for votes.

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The Tariff
of Abomi-
nations

Nevertheless, the tariff of 1828 was a piece of bad legislation and is justly known as the Tariff of Abominations. In framing it Congress was guided by political rather than by economic considerations. "The bill," said John Randolph, "referred to manufactures of no sort or kind except the manufacture of a President of the United States." A member of the House speaking of this tariff in 1833 hit the situation off accurately when he said: "It was fastened on the country in the scuffle to continue the then incumbent in office on one side; and on the other to oust him and put another in his stead. . . . The public weal was disregarded, and the only question was: Shall we put A or B in the Presidential Chair?"

The Tariff of Abominations was simply an incident in a Presidential campaign which was marked by more excitement than the country had ever before known. When the time for the election of 1828 arrived the anti-Jackson men who styled themselves National Republicans put Adams forward as their candidate, while the Democrats with a great flourish of trumpets announced Jackson as their leader. As far as personal qualifications for the office were concerned everything was on the side of the man who was already in the Presidential chair. But while Adams was a great statesman he was a poor politician. He had no intimate friends, his manner was icy and repellent, and it has been said of him that at every step he took, a foe sprang up. Relying upon his excellent record as an administrator he did almost nothing to strengthen himself with voters or politicians. He would contribute no money to a campaign fund nor would he go among the people and electioneer. Once when asked to exert his influence in the choice of a senator from one of the States he received the suggestion with indignation. All this was magnificent but it was not political warfare. Such a candidate could hardly hope to triumph over the dashing hero of the West, who, without being a demagogue, knew how to flatter the instincts and passions of the people, and who, too, had his virtues, and, what is almost as important, his defects. Adams, in fact, cherished no hopes of victory. He sniffed defeat long before election day. "He foresaw the fury of the blast and bared his breast to the tempest, not like a leader of men, but like a Christian martyr." When the agony was over he found that his honest and upright course had

An Excit-
ing Presi-
dential
Campaign

been rewarded with eighty-two electoral votes, while his opponent received 178. The election showed in a striking manner the growing power of the West. Every State west of the Alleghanies cast its vote for Jackson.

JACKSON AND THE OFFICES

Jackson entered upon his duties in a whirlwind of popular applause. On the day of his inauguration, March 4, 1829, Washington was crowded to overflowing with visitors shouting and hurrahing for "Old Hickory." "By ten o'clock," says an eye-witness, "the Avenue was crowded with carriages of every description, from the splendid barouche and coach down to wagons and carts, filled with women and children, some in finery and some in rags." "It seemed," relates another observer, "as if half of the nation had rushed at once into the Capital. It was like the inundations of the northern barbarians into Rome, save that the tumultuous tide came in from a different point of the compass. The West and the South seemed to have precipitated themselves upon the North and overwhelmed it." "To-day," wrote Webster, "we have had the inauguration. A monstrous crowd of people is in the city. I never saw anything like it before. Persons have come five hundred miles to see General Jackson, and they really seem to think that the country is rescued from some dreadful danger." These demonstrations were for the most part genuine expressions of confidence and affection. In his campaign Jackson had carried his candidacy directly to the voters, with the result that his election had brought the people and the Government together and had formed a partnership in which the people themselves were the partners. The people, therefore, had flocked to Washington to get a glimpse of a President who was of their own flesh and blood, of a Joshua who was to lead them into the Promised Land.

But not all those who shouted for Jackson did so merely because he was their idol. Many of the hurrahs came from the throats of office-seekers. "The vast popular army," says Ostrogorski, "which marched triumphantly through the streets of Washington dispersed to their homes, but one of its divisions remained. This was composed of the politicians. The victory was due to their efforts, and as the laborer is worthy of his hire, they deserved a reward. By way of remuneration for their services they demanded places in

the administration. They filled the air of Washington like locusts, they swarmed in the halls and lobbies of the public buildings, and in the adjoining streets, they besieged the residences of Jackson and his ministers."

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This clamor for office was not displeasing to Jackson. He was in all things a warrior. It was quite like him to regard a political campaign as a veritable battle of ballots. It was his doctrine that the victors at the polls ought to be rewarded with the offices, which he looked upon as the legitimate spoils of political warfare. When his followers came forward for their share in the Federal offices Jackson was only too willing to give them what they wanted. He began at once to turn men out of their offices in order to make room for his partisans.

The rewarding of political friends and the punishing of enemies was not an unknown thing in American politics. In Pennsylvania and New York a regular system of rewarding party workers had been established. "The politicians," said W. L. Marcy of New York, "preach what they practise; when they are contending for victory they avow their intention of enjoying the fruits of it. If defeated they expect to retire from office. If they are successful they claim as a matter of right the advantages of success. They see nothing wrong in the rule that *to the victor belong the spoils of the enemy.*"

To the
Victors
Belong
the Spoils

In the administration of the Federal Government there had been many removals for political reasons; but no former President swung the ax so vigorously as Jackson, who was hardly in office before a general proscription began. Length of service and satisfactory performance of duties made no difference; men who had been working for the Government all their lives were dismissed without warning and without recourse. It is estimated that within a year more than two thousand persons were deprived of their offices.

A wail of distress went up, and no doubt much suffering was caused by the sudden removals. Jackson, however, refused to believe that those who were dismissed had any real ground of complaint, for they had, he said, the same means of obtaining a living that are enjoyed by the millions who never hold office. Far from thinking the spoils system wrong he defended it on the grounds of broad public policy. "There are," he said in his first message to Congress, "few men who can for any length of time enjoy office and power without being more or less under the influence of feel-

Jackson's
Defense of
the Spoils
System

ings unfavorable to the faithful discharge of their political duties. They are apt to acquire the habit of looking with indifference upon the public interests, and of tolerating conduct from which an unpracticed man would revolt. The duties of all public offices are, or at least admit of being, made so plain and simple that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. . . . In a country where offices are created solely for the benefit of the people no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is, therefore, done by removal, since neither appointment to nor continuance in office is a matter of right. It is the people, and they alone, who have a right to complain when a bad officer is substituted for a good one." In accordance with this doctrine Jackson substituted bad officers for good ones in hundreds of instances, but the people did not exercise their right to complain. The spoils system was popular from the beginning; so popular, indeed, that it was adopted by the Presidents that succeeded Jackson, and for more than fifty years Marcy's maxim was accepted as a proper rule for the guidance of incoming administrations. The result was that the offices at Washington were primarily party barracks.

JACKSON AND NULLIFICATION

Before Jackson had been in office a year he was brought face to face with the question of nullification. This question had come up in 1799¹ and again in 1814.² But nullification had never presented itself in such an ugly form as it assumed in Jackson's time, when in several of the Southern States there was a defiance of Federal authority which threatened the disruption of the Union. The immediate cause of the nullification movement was the tariff of 1828, the so-called Tariff of Abominations.³ This law had incurred the instant resentment and opposition of the South. The legislatures of South Carolina, Virginia, Georgia, and Mississippi protested vehemently against the high duties and in some cases accompanied their protests with threats as to what would be done if attempts were made to enforce the obnoxious law.

¹ See p. 180.

² See p. 215.

³ See p. 267.

The complaints were not without foundation. The policy of commercial restriction in favor of domestic manufactures was subjecting the South to serious economic loss. The prohibitory duties on coarse cottons and woollens were especially onerous. The slaves were clothed in these fabrics, and since the South had no manufactures of its own the planters were compelled to buy from Northern manufacturers at a price 40 per cent higher than in the markets of Europe. This exclusion from the foreign markets appeared all the more unjust when it was considered that in 1830 nearly three fourths of our agricultural exports and nearly three fifths of our exports of every kind consisted of the cotton and tobacco and rice which were shipped from Southern ports. That is to say, the section of the country which sold the most to foreign markets was deprived of any advantage which might accrue from buying in those markets. In the beginning the South had supported the "American system," but now her people had come to regard the protection policy as unequal, unjust, and oppressive. "They certainly," says Theodore Roosevelt, "had grounds for discontent. In 1828 the tariff, whether it benefited the country as a whole or not, unquestionably harmed the South."

CHAP.
XIVJustifiable
Complaints

Resistance first showed itself in South Carolina, where the forces of nullification were set in motion immediately after the passage of the tariff of 1828 was announced. The leader of the nullifiers was John C. Calhoun, South Carolina's favorite son and the ablest spokesman of the South. Calhoun had entered Congress in 1811, where we saw him active in bringing on the War of 1812. For nearly forty years he was foremost among American statesmen. He was secretary of war under Monroe and was elected Vice-President of the United States in 1824 and reëlected in 1828. In his earlier political career he was devoted to the Union and was a strong supporter of internal improvements and a higher tariff. But when it became plain that the tariff was bearing heavily upon the South he faced about and fought the protective system with all his might. As a champion of the South and a defender of the rights of the States he won the respect of friend and foe alike. His speeches were clear, forcible, and logical, and his power in debate was acknowledged even by the greatest of his opponents.

John C.
Calhoun

When the excitement over the Tariff of Abominations was running high Calhoun prepared a paper known as the "South Carolina Exposition." This declared that the Act of 1828 was unconstitu-

The South
Carolina
"Exposi-
tion"

tional and calculated to destroy the liberty of the country. What remedy did a State have when its interests were adversely affected by a Federal law? The remedy was "interposition." A State *convention* was to determine whether an act complained of was constitutional or not, and if it were found to be unconstitutional the State was to interpose and render the obnoxious law null and void. In respect to the manner of applying the remedy of "interposition" the "Exposition" says: "When convened it will belong to the Convention itself to determine, authoritatively, whether the acts of which we complain be unconstitutional; and, if so, whether they constitute a violation so deliberate, palpable, and dangerous as to justify the interposition of the State to protect its rights. If this question be decided in the affirmative, the Convention will then determine in what manner they ought to be declared null and void within the limits of the State; which solemn declaration, based on her rights as a member of the Union, would be obligatory, not only as for our citizens, but on the General Government itself, and thus place the violated rights of the State under the shield of the Constitution." The "Exposition" was accepted by the South Carolinians as their guide. It was adopted by the legislature in 1828 and was printed promptly and circulated throughout the State as an official manifesto.

The occurrences in South Carolina could not, of course, be ignored by the Government at Washington. In 1830 the question of nullification came up on the floor of Congress as an incident to a debate upon the disposition of the national domain. Senator Foote of Connecticut had introduced a resolution, the spirit of which was to limit the sales of the public lands. Nothing important came of the resolution, but the debate brought forth a distinct statement by powerful champions of the North and of the South upon the constitutional principles upon which the two sections were to diverge. The champion of the South was Senator Hayne of South Carolina. Calhoun could not take the floor, for at the time he was Vice-President and therefore the presiding officer of the Senate. It has been said that Hayne was "Calhoun's sword and buckler, and that he returned to the contest refreshed each morning by nightly communions with the Vice-President, drawing auxiliary supplies from the well-stored arsenal of his powerful and subtle mind." But Hayne was competent to fight his own battles. Touching upon the subject of nullification, he declared in substance

“that in case the federal government should make aggressions which seemed deliberate, palpable, and dangerous violations of the rights reserved to the States under the Constitution, any State would be justified, when her solemn protests failed of effect, in resisting the efforts of the federal government to execute the measure complained of within her jurisdiction.”

CHAP.
XIV

Hayne was answered by Daniel Webster, the spokesman of the North. Webster was born in the same year as Calhoun, and had entered Congress two years after the South Carolinian first made his appearance in that body: for nearly twenty years the two men served in the Senate together. In their earlier career they were sometimes in agreement upon public questions, but now they stood at the opposite poles of political thought. Webster now was engrossed in the defense of the Constitution which he regarded as a “kind of earthly providence surrounding us alike while we wake, and while we sleep, and assuring us blessings such as never before were enjoyed by any people since the creation of the world.” “No man,” he said, “can suffer too much, and no man can fall too soon, if he suffer or if he fall in the defense of the liberties and constitution of his country.” Calhoun, on the other hand, was now caring less for the Constitution than in former years and was devoting all his energies to the defense of the rights of the States. Accordingly, when Webster replied to Hayne it was to his greatest antagonist, the presiding officer, that his remarks were really addressed.

Webster's
Reply to
Hayne

To the argument of Hayne that a State might decide for itself whether a law of Congress was contrary to the Constitution Webster opposed a flat denial. Only the Supreme Court of the United States, he said, had the right to make such a decision. “If each State,” he asked, “had the right to final judgment on questions in which she is interested is not the whole Union a rope of sand?” And his denial of the doctrine of nullification was equally emphatic. “I do not admit,” he said, “that under the Constitution, and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the General Government by force of her own laws under any circumstances whatever. I do not admit the jurisdiction of South Carolina, or any other State, to prescribe any constitutional duty, or to settle the validity of the laws of Congress for which I have voted. I decline her umpirage.” Webster saw in nullification

the dissolution of the Union, and it was for the Union that he raised his voice in this speech of incomparable eloquence.

Portions of his reply bearing upon the nature of our constitutional system are given below, with the peroration of his speech:

WEBSTER'S REPLY TO HAYNE

January 26 and 27, 1830

There yet remains to be performed, by far the most grave and important duty, which I feel to be devolved on me, by this occasion. It is to state, and to defend, what I conceive to be the true principles of the constitution under which we are here assembled. . . .

I understand the honorable gentleman from South Carolina to maintain, that it is a right of the State Legislatures to interfere, whenever, in their judgment, this Government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right, as a right existing under the constitution; not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it, and of compelling it to conform to their opinion of the extent of its powers.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the General Government, or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the General Government transcends its power.

I understand him to insist that, if the exigency of the case, in the opinion of any State Government, require it, such State Government may, by its own sovereign authority, annul an act of the General Government, which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine; and the doctrine which he maintains. I propose to consider it, and compare it with the constitution. . . .

What he contends for, is, that it is constitutional to interrupt the administration of the constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the States, in virtue of their sovereign capacity. The inherent right in the people to reform their government, I do not deny; and they have another right, and that is, to

resist unconstitutional laws, without overturning the Government. It is no doctrine of mine, that unconstitutional laws bind the people. The great question is, whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws? On that, the main debate hinges. The proposition, that, in case of a supposed violation of the constitution by Congress, the States have a constitutional right to interfere, and annul the law of Congress, is the proposition of the gentleman: I do not admit it. If the gentleman had intended no more than to assert the right of revolution, for justifiable cause, he would have said only what all agree to. But I cannot conceive that there can be a middle course, between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution, or rebellion, on the other. I say, the right of a State to annul a law of Congress, cannot be maintained but on the ground of the unalienable right of man to resist oppression; that is to say, upon the ground of revolution. I admit that there is an ultimate violent remedy, above the constitution, and in defiance of the constitution, which may be resorted to, when a revolution is to be justified. But I do not admit that, under the constitution, and in conformity with it, there is any mode in which a State Government, as a member of the Union, can interfere and stop the progress of the General Government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this Government, and the source of its power. Whose agent is it? Is it the creature of the State Legislatures, or the creature of the people? If the Government of the United States be the agent of the State Governments, then they may control it, provided they can agree in the manner of controlling it; if it be the agent of the people, then the people alone can control it, restrain it, modify, or reform it. It is observable enough, that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this General Government is the creature of the States, but that it is the creature of each of the States, severally; so that each may assert the power, for itself, of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes, and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this Government and its true character. It is, sir, the people's constitution, the people's Government; made for the people; made by the people; and answerable to the people. The people of the United States have declared that this constitution shall be the supreme law. We must either admit the

proposition, or dispute their authority. The States are, unquestionably, sovereign, so far as their sovereignty is not affected by this supreme law. But the State Legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the General Government, so far the grant is unquestionably good, and the Government holds of the people, and not of the State Governments. We are all agents of the same supreme power, the people. The General Government and the State Governments derive their authority from the same source. Neither can, in relation to the other, be called primary, though one is definite and restricted, and the other general and residuary. The National Government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the State Governments or to the people themselves. So far as the people have restrained State sovereignty, by the expression of their will, in the constitution of the United States, so far, it must be admitted, State sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled farther. The sentiment to which I have referred, propounds that State sovereignty is only to be controlled by its own "feeling of justice"; that is to say, it is not to be controlled at all: for one who is to follow his own feelings is under no legal control. Now, however men may think this ought to be, the fact is, that the people of the United States have chosen to impose control on State sovereignties. There are those, doubtless, who wish they had been left without restraint; but the constitution declares that no State shall make war. To coin money is another exercise of sovereign power; but no State is at liberty to coin money. Again, the constitution says that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South Carolina, as well as of the other States, which does not arise "from her own feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the constitution. . . .

It so happens that, at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. They hold those laws to be both highly proper and strictly constitutional. And now, sir, how does the honorable member propose to deal with this case? How does he relieve us from this difficulty, upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina, the tariff is a palpable, deliberate usurpation; Carolina, therefore, may nullify it, and refuse to pay the duties. In

Pennsylvania, it is both clearly constitutional, and highly expedient; and there, the duties are to be paid. And yet we live under a Government of uniform laws, and under a constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the States! Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again, precisely upon the old Confederation?

It is too plain to be argued. Four-and-twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things, but a mere connexion during pleasure; or, to use the phraseology of the times, during feeling? And that feeling, too, not the feeling of the people, who established the constitution, but the feeling of the State Governments. . . .

This Government, sir, is the independent offspring of the popular will. It is not the creature of State Legislatures. Nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, amongst others, of imposing certain salutary restraints on State sovereignties. The States cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this constitution, sir, be the creature of State Legislatures, it must be admitted that it has obtained a strange control over the volitions of its creators.

The people, then, sir, erected this Government. They gave it a constitution; and in that constitution they have enumerated the powers which they bestow on it. They have made it a limited Government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people. But, sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise as to exclude all uncertainty. Who then shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the Government? Sir, they have settled all this in the fullest manner. They have left it with the Government itself, in its appropriate branches. Sir, the very chief end, the main design, for which the whole constitution was framed and

adopted was, to establish a Government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of government, under the Confederacy. Under that system, the legal action, the application of law to individuals, belonged exclusively to the States. Congress could only recommend; their acts were not of binding force, till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion, and State construction? Sir, if we are, then vain will be our attempt to maintain the constitution under which we sit. But, sir, the people have wisely provided, in the constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are, in the constitution, grants of powers to Congress, and restrictions on these powers. There are, also, prohibitions on the States. Some authority must, therefore, necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The constitution has, itself, pointed out, ordained, and established, that authority. How has it accomplished this great and essential end? By declaring, sir, that "the constitution and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land, anything in the constitution or laws of any State to the contrary notwithstanding."

This, sir, was the first great step. By this, the supremacy of the constitution and laws of the United States is declared. The people so will it. No State law is to be valid which comes in conflict with the constitution or any law of the United States passed in pursuance of it. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the constitution itself decides also, by declaring "that the judicial power shall extend to all cases arising under the constitution and laws of the United States." These two provisions, sir, cover the whole ground. They are, in truth, the key-stone of the arch. With these, it is a constitution; without them, it is a confederacy. In pursuance of these clear and express provisions, Congress established, at its very first session, in the Judicial Act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, sir, became a Government. It then had the means of self protection; and, but for this, it would, in all probability, have been now among things which are past. Having constituted the Government, and declared its powers, the people have further said, that, since somebody must decide on the extent of these powers, the Government shall itself

decide; subject, always, like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a State Legislature acquires any power to interfere? Who or what gives them the right to say to the people, "we, who are your agents and servants for one purpose, will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them?" The reply would be, I think, not impertinent: "Who made you a judge over another's servants? To their own masters they stand or fall."

Sir, I deny this power of State Legislatures altogether. It cannot stand the test of examination. Gentlemen may say that, in an extreme case, a State Government might protect the people from intolerable oppression. Sir, in such a case, the people might protect themselves, without the aid of the State Governments. Such a case warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a State Legislature cannot alter the case, nor make resistance any more lawful. . . .

Direct collision, therefore, between force and force, is the unavoidable result of that remedy for the revision of unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law, generally, is treason. Can the courts of the United States take notice of the indulgence of a State to commit treason? The common saying that a State cannot commit treason herself, is nothing to the purpose. Can she authorize others to do it? If John Fries had produced an act of Pennsylvania, annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the length of revolution. They are incompatible with any peaceable administration of the Government. They lead directly to disunion and civil commotion; and therefore it is, that, at their commencement, when they are first found to be maintained by respectable men, and in a tangible form, I enter my public protest against them all. . . .

But, sir, what is this danger, and what the grounds of it? Let it be remembered that the constitution of the United States is not unalterable. It is to continue in its present form no longer than the people, who established it, shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power, between the State Governments and the General Government, they can alter that distribution at will.

If any thing be found in the national constitution, either by

original provision, or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the constitution, they will amend it at their own sovereign pleasure. But while the people choose to maintain it as it is; while they are satisfied with it, and refuse to change it, who has given, or who can give, to the State Legislatures, a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the State Legislatures. Sir, the people have not trusted their safety, in regard to the general constitution, to these hands. They have required other security, and taken other bonds. They have chosen to trust themselves, first, to the plain words of the instrument, and to such construction as the Government itself, in doubtful cases, should put on its own powers, under their oaths of office, and subject to their responsibility to them: just as the people of a State trust their own State Governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents, whenever they see cause. Thirdly, they have reposed trust in the Judicial power, which, in order that it might be trust-worthy, they have made as respectable, as disinterested, and as independent as was practicable. Fourthly, they have seen fit to rely, in case of necessity, or high expediency, on their known and admitted power to alter or amend the constitution, peaceably and quietly, whenever experience shall point out defects or imperfections. And, finally, the people of the United States have, at no time, in no way, directly or indirectly, authorized any State Legislature to construe or interpret their high instrument of Government; much less to interfere, by their own power, to arrest its course and operation. . . .

I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious, sir, of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation, such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments. I cannot, even now, persuade myself to relinquish it, without expressing, once more, my deep conviction, that, since it respects nothing less than the union of the States, it is of most vital and essential impor-

tance to the public happiness. I profess, sir, in my career, hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home, and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and, although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, and personal happiness. I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor, in the affairs of this Government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that, I seek not to penetrate the veil. God grant that, in my day, at least, that curtain may not rise. God grant that, on my vision, never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, What is all this worth? Nor those other words of delusion and folly, Liberty first, and Union afterwards: but every where, spread all over in characters of living light, blazing on all

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its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty *and* Union, now and forever, one and inseparable!

"Our
Federal
Union; It
Must Be
Preserved"

The nullification leaders believed in the beginning that they would have the support of Jackson; but they soon found that they were mistaken in their man. On the occasion of a Jefferson birthday banquet held on April 13, 1830, a few weeks after Webster's great speech, Jackson declared against the nullifiers in a manner that could not be misunderstood. The main purpose of the banquet was to draw from Jackson and his secretaries opinions and expressions which the nullifiers hoped would be favorable to their cause. A rude shock awaited them. When it came Jackson's turn to volunteer a sentiment he proposed the toast: "Our Federal Union: it must be preserved." This thrilling challenge spread dismay over the faces of the nullifiers present, yet Calhoun, attempting to rally his forces, answered: "The Union, next to our liberty, the most dear; may we all remember that it can only be preserved by respecting the rights of the States and distributing equally the benefit and burdens of Union." The issue was now clearly made up so far as Jackson and the nullifiers were concerned, and the country knew what to expect from the administration if an attempt should be made to put nullification into practice.

The Tariff
of 1832

Since the tariff was the cause of most of the irritation, Congress, in 1832, wishing to placate the nullifiers, overhauled the Tariff of Abominations, reducing some of the obnoxious duties, especially those on plantation supplies. But inasmuch as the reductions were not accompanied by any important modification of the protective system the South was not placated. Upon the passage of the act the members of Congress from South Carolina drew up a formal protest declaring "that all hope of relief from Congress was irrevocably gone, that protection must henceforth be regarded as the settled policy of the country, and that the people of South Carolina must decide whether their rights and liberties were to be tamely surrendered without a struggle or transmitted undiminished to their posterity."

South
Carolina
Declares
for Nullifi-
cation

South Carolina was ready for a struggle. She immediately prepared for a practical application of Calhoun's doctrine of "interposition." Her legislature called a convention which met at

Columbia and declared in November, 1832, that the tariff acts of 1828 and 1832 were void and that they need not be observed by the citizens or officers of the State. Following the doctrine of nullification to its logical conclusion the convention went on to declare: "We, the people of South Carolina, to the end that it may be fully understood by the Government of the United States, and the people of the co-States, that we are determined to maintain this, our ordinance and declaration, at every hazard, do further declare that we will not submit to the application of force, on the part of the Federal Government, to reduce this State to obedience; but that we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens, as inconsistent with the longer continuance of South Carolina in the Union: and that the people of this State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connexion with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do." In order to show that these were something more than idle words the State armed itself and prepared for war.

If the people of South Carolina imagined that Jackson would allow a State to nullify a Federal law "their eyes must have been holden that they could not see." As soon as the ordinance of nullification was promulgated came a proclamation from Jackson against nullification. In this ringing utterance he said to the people of South Carolina: "I consider the power to annul a law of the United States, assumed by one State, incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed." In kindly language he warned the South Carolinians of the danger which was ahead. "Let me not only admonish you as the First Magistrate of our common country not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to certain ruin. The laws of the United States must be executed. Those who told you that you might peaceably prevent their execution deceived you. Their object is disunion. Disunion by armed force is *treason*. Are you really ready to incur its guilt?" Jackson was

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terribly in earnest. "If force should be necessary," he wrote, "I will have 40,000 men in South Carolina to put down resistance and enforce the law." If matters went too far he had it in mind to hang Calhoun "higher than Haman." In his plans for resisting nullification he was supported by Congress, for at his request there was quickly passed what is known as the Force Bill, a measure which gave the President the power to use the army and navy in the execution of the tariff laws.

A Compromise
Tariff

But the necessity for resorting to force did not arise. Under the leadership of Clay a new tariff law giving South Carolina much, although not all, that she demanded was hurriedly passed in March, 1833. This compromise tariff provided for a gradual reduction of rates so that by 1842 there should be a uniform duty of 20 per cent upon all dutiable articles, and no article thereafter should be subject to a higher rate than 20 per cent. As this concession was satisfactory to the South, the nullification movement came to an end. The South never again resorted to nullification, although it had something worse in store.

JACKSON AND THE BANK

Jackson a
Candidate
for a
Second
Term

At the very time when the nullification cloud was assuming its most threatening aspects Jackson was asking the people for a second term. As a matter of principle he believed it was undemocratic for a President to hold more than one term. In his messages to Congress he repeatedly urged that the Constitution be amended so as to limit the eligibility of the President to a single term of four or six years. But the amendment did not materialize and when the question of a second term arose in 1832 Jackson was not prevented by his political scruples from accepting a nomination.

Jackson's
Hostility to
the Bank

In truth, Jackson was not ready to retire to private life; for he had not yet accomplished one of the cherished purposes of his heart, namely, the destruction of the Bank of the United States, an institution which in 1816 had been chartered for a period of twenty years and which was expecting to be rechartered in 1836. Jackson's opposition to this bank was shown in his first message where he charged that some of the chief purposes for which the bank was founded had not been accomplished. His hostility increased year by year until he finally came to hate the bank so bitterly that it was said that he would sometimes choke when he uttered its

name. This attitude was due in part to a belief that the bank was a monopolistic institution with no constitutional standing and in part to the fact that some of the officials of the bank had presumed to cross the President in his political purposes.

In 1832, the bank applied to Congress for a renewal of its charter and a new charter renewal bill was passed. Jackson used his veto, and the bank controversy became furious. In the veto message it was alleged that the privileges granted to the bank were monopolistic in character and that the bank itself was unconstitutional. It was true that the Supreme Court had upheld the constitutionality of such a bank, but this made no difference to Jackson. He contended that an opinion of the Supreme Court did not preclude the President from expressing an opinion on the same subject. "The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the Supreme Judges whom it may be brought before for judicial decision. The opinion of the Judges has no more authority over Congress than the opinion of Congress has over the Judges, and on that point the President is independent of both. The authority of the Supreme Court must not therefore be permitted to control the Congress and the Executive when acting in their legislative capacity, but to have only such influence as the force of their reasoning may have."

The radical language of the veto pleased the friends of the bank, for they believed it would make converts for their side. Nicholas Biddle, the president of the bank, said of the veto: "It has all the fury of a chained panther, biting the bars of his cage. It is really a manifesto of anarchy." But the friends of the bank found that Jackson had not overshot the mark. The veto was sustained in spite of desperate efforts made to override it. The bank supporters, having been foiled at Washington, now carried their fight into politics and attempted to prevent the reelection of Jackson.

The election of 1832 was a memorable event in the history of American politics, for it marked the beginning of nominating candidates at national conventions. The convention system had its

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Jackson
and the
Supreme
Court

"A Mani-
festo of
Anarchy"

The First
National
Conven-
tion

origin with the Antimasonic party which was organized for the purpose of excluding freemasons from public office. Opposition to the masons was due chiefly to the mysterious disappearance of William Morgan of Batavia, New York, who in 1826 wrote a book divulging secrets of the masonic order. As the charge was made that Morgan was abducted and murdered by the masons, a wave of excitement and indignation swept over many of the Eastern States; and the opposition to secret societies assumed the form of an organized party, which by September, 1831, was able to hold at Baltimore a nominating convention in which more than half the States were represented. This convention nominated William Wirt of Virginia for President and issued an address to the people. In the following December a convention of National Republicans met at Baltimore and nominated Henry Clay for the Presidency. In the convention, which consisted of 167 delegates, all the States but six were represented. In May, 1832, the Democrats—for the word "Democrat," once used as a term of reproach, had now come to be officially accepted as a word of honor—also met in convention at Baltimore and unanimously nominated Jackson for the Presidency and Martin Van Buren for Vice-Presidency. The Democratic convention consisted of 326 delegates representing every State but one. Thus a new institution, the national nominating convention, was introduced into American political life.

In the campaign of 1832 the bank question was the paramount issue. The enemies of the bank rallied around Jackson; its friends around Clay. In the struggle the advantage was all with Jackson. When the Democratic orators went among the people and told them that Clay was for the bank, a monstrous monopoly which kept up the rates of interest and made money scarce, they believed all that was said, and their minds turned to Jackson as their truest friend. The result of the election was a decisive triumph for the Democrats. Jackson received 219 electoral votes, Clay forty-nine, and Wirt seven. John Floyd of Virginia received the eleven electoral votes of South Carolina, where the nullifiers, who were in control of the legislature (which then chose the electors), deliberately threw their votes away rather than vote for either Jackson or Clay. The popular vote for Jackson was 687,502, while that for Clay and Wirt combined was 530,189. Clay carried only Massachusetts, Rhode Island, Connecticut, Delaware, Kentucky, and part of Maryland. In Georgia and Alabama, Jackson had no opposition what-

ever. Thus the election showed that the country was against the bank.

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Jackson's victory over the bank was now complete. He had frustrated its effort to secure a new charter and he had defeated its friends at the polls. For most men this would have been glory enough; the bank would have been allowed to live out its term in peace. But Jackson was bent upon utterly demolishing the United States Bank as a national institution; and he determined to draw the fangs of the monster by depleting its funds. In 1833 he directed William Duane, his secretary of the treasury, to issue an order forbidding the collectors of the United States revenues to deposit any more money in the bank. This meant the removal of all Government deposits, for the money that was already on deposit—about \$10,000,000—would be drawn out in the ordinary course of meeting the expenses of the Government. Under existing laws Jackson's orders in respect to the deposits could not be carried out without the consent of the secretary of the treasury, who alone had authority to remove the deposits and who in this particular matter was responsible not to Jackson but to Congress. But Jackson found that his secretary was not a pliant instrument. Duane firmly refused to remove the deposits. The President was not to be baffled by an obstreperous member of his cabinet. Duane, refusing to resign, was dismissed. Roger B. Taney of Maryland was appointed in his place, and Jackson's wishes now were complied with. The public money already in the bank was gradually drawn out and no more was deposited. The blow was a severe one, and the bank never recovered from it. As a national institution it expired with its charter, although it was rechartered in Pennsylvania as a State bank.

Jackson
Bent on the
Destruction
of the Bank

Jackson, justifying his action to Congress, declared an official report showed that the bank had been actively engaged in attempting to influence the election of public officers by means of its money, and that it had placed funds at the disposition of its president to be employed for political purposes. This, he said, raised the question "whether the people of the United States are to govern through representatives chosen by their unbiased suffrages or whether the power and money of a great corporation are to be secretly extended to influence their judgment and control their decisions." The House approved of Jackson's course, but in the Senate he was bitterly assailed by the best talent of the country; Clay, Calhoun, and

The
Resolution
of Censure

Webster were all against him. His only able champion was Thomas Hart Benton of Missouri. Clay introduced and carried through the Senate a resolution of censure declaring that the President in the late executive proceedings in relation to the public revenues had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both. This resolution stung Jackson to the quick. He determined that the obnoxious censure should be expunged, and after a long fight led by Benton he had his will. In 1837 at the close of his administration the manuscript journal of the session of 1833-34 was brought into the Senate and around the resolution of censure black lines were drawn and across its face were written in "strong letters" the words: "Expunged by order of the Senate this the sixteenth day of January the year of our Lord 1837." A crowded gallery witnessed the proceedings. Benton celebrated the occasion by providing his supporters with an ample supply of cold hams, turkeys, rounds of beef, pickles, wines, and hot coffee, while Jackson gave a dinner to the expungers and their wives. It was a moment of joy for the old hero, for the bank was dead and he was vindicated.

Jackson's
Achievements

Now that the hated bank was laid low Jackson felt that his work was done. He regarded that work with a glow of unfeigned satisfaction. He had dealt a fatal blow to the policy of internal improvements, the tariff had been adjusted on a basis of compromise between the free traders and the protectionists, nullification had been checked, the bank monopoly had been throttled, the national debt had been paid, and through his leadership the people had been enthroned as the masters of government. When the time came for him to surrender his public trust he felt justified in saying that he left the country prosperous and happy, in the full enjoyment of liberty, at peace, and honored and respected by every nation in the world.

THE ADMINISTRATION OF MARTIN VAN BUREN

"King
Andrew"
Names Van
Buren, Who
is Elected

Jackson could easily have been nominated for a third term had he so desired. But he was too old and feeble for further service. "My own race," he said in a farewell address, "is nearly run; advanced age and failing health warn me that before long I must pass beyond the reach of human events and cease to feel the vicissitudes of human affairs." Lack of vigor, however, did not pre-

vent him from taking a hand in politics and naming the Democratic candidate for the election of 1836. His choice fell upon Martin Van Buren, a man who had served him long and well. A Democratic national convention consisting of several hundred office-holders, bowing submissively to the will of "King Andrew," unanimously nominated Van Buren. The Whig candidate was William H. Harrison, the hero of Tippecanoe.¹ Van Buren was easily the victor in the race.

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Van Buren was the first President who was not born a British subject, and the first to be elected from the Middle States. "A poor farmer's boy," says Schouler, "self-educated and aspiring, this bright Knickerbocker lawyer was instructed when young in the methods of the Democratic machine by Aaron Burr himself and rose by his clever handling of it through all the grades from county politics to governor; lifted from pinnacle to pinnacle in his national ascent by the ingenious mechanism he had so carefully perfected and which kept his great State moving to his will. He it was, whose example if not his hand, made the spoils system a national one. Though subtle rather than strong, he certainly had talents far beyond the average of public men, not as a political organizer only, but in the higher range of statesmanship. He was a good diplomatist, a fair administrator; his democracy, albeit a little servile to the many, was wholesome and robust."

An
Estimate of
Van Buren

Van Buren in his inaugural address indicated that it would be his policy to tread in the footsteps of his "illustrious predecessor." He retained Jackson's cabinet, and his administration was in many things simply a continuation of the Jackson régime. He soon found that his "illustrious predecessor" had not left him a path of roses in which to tread; for Jackson, in truth, had sowed the wind and it was the lot of Van Buren to reap the whirlwind.

A chief source of Van Buren's woes was a train of evils which grew out of the war upon the bank. By crushing the Bank of the United States Jackson at the same time increased, as he desired to increase, the power of hundreds of State banks scattered throughout the country. These banks issued notes which circulated as currency and which formed a large part of the circulating medium even while the Bank of the United States was in existence. After that institution was destroyed the State banks were encouraged to issue notes in larger quantities than ever. Moreover, all over the

"Wildcat"
Currency

¹ See p. 224.

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country new State banks were organized. In some of the States, especially in the West, the State banks issued notes regardless of their ability to redeem them, many a "bull-frog institution straining in imitation to swell to the size of an ox." The result was a tidal wave of inflation. Within the two years 1835-37 \$80,000,000 of "wildcat" currency—as the worthless paper issues of banks were called—was printed and put into circulation.

Wild
Speculation

This wildcat banking led to feverish speculation in almost every line of business. Money was easy to get and men went into all kinds of enterprises. A favorite field of speculation was the public lands, which at this time were open to any purchaser without wholesome limits of acreage. "The farmer," says McMaster, "the manufacturer, the city merchant, the country merchant, bought land and paid their debts, if paid at all, not with dollars, but with over-valued land. Land bought from the Government for a dollar and a quarter an acre was at once valued at ten or fifteen dollars an acre. The more a man bought and the more he borrowed to pay for it, the richer he was. Bits of wild prairie, far removed from all means of easy access, were laid out, on paper, into town lots which sold for twenty dollars a lot. . . . Such was the craze that the phantom town projectors actually invaded the East and sold their lots in New York and Boston."

The Dis-
tribution
of the
Surplus

The moment the public domain became a source of speculation the receipts from land sales began to rise with astonishing rapidity. In 1834 the sales amounted to less than \$5,000,000; in 1835 they amounted to nearly \$15,000,000, and in 1836 to nearly \$25,000,000. This unusual influx of money into the Treasury enabled the Government to pay off the national debt and still have a surplus which in 1835 amounted to more than \$35,000,000. Of this surplus about \$28,000,000 was distributed to the several States in proportion to their respective representation in the Senate and House. In name the money thus distributed was a deposit, but in fact it was a gift; for to this day not a dollar of it has been called for. The distribution of this surplus brought no great benefits to the States and was a source of positive injury to the country; for some of the States used the money to found State banks which issued more paper currency, thereby aggravating the evil of inflation and stimulating the desire for speculation.

The Specie
Circular

In order to abate the fever for speculation and reduce inflation Jackson in 1836 had issued his famous Specie Circular. This

directed that public lands be paid for only in gold or silver. The order operated as a wholesome check upon the wild issue of paper money, but it brought dismay and distress upon dealers in public lands. "Gold was called," says E. M. Shepard in his "Van Buren," "from the East to the banks at the West to make land payments. Into the happy exaltation of unreal transactions was now plunged that harsh demand for real value which sooner or later must always come. The demand was passed on from one to another, and its magnitude and peremptoriness grew rapidly. The difference between paper and gold became plainer and plainer. Every man rushed to his bank or his debtor, crying, Pay me in value, not in promises to pay. But the banks and debtors had no available value, but only its paper semblances."

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By the time the Specie Circular was issued speculation had already brought the country to the verge of a panic, although seemingly conditions were highly prosperous. Jackson in his farewell address ventured to say, "From the earliest ages of history to the present day there never have been thirteen millions of people associated in one political body who enjoyed so much freedom and happiness as the people of the United States." But the prosperity to which Jackson alluded was wholly fictitious. In reality everything was pointing to a crash. Taxes were higher than the people could bear; merchants were overstocked with a glut of foreign goods which had not been paid for and which could not be sold; laborers were struggling with the high cost of living; financiers of England and France were in sore straits; banks were straining every nerve to strengthen a credit that was constantly growing weaker; money was scarce and the rates of interest were exorbitant. If there should be a sudden shock the bubble would burst.

A Fictitious
Prosperity

Van Buren had hardly entered upon his duties when the shock came. In the spring of 1837 the effects of the Specie Circular began to be felt. The large volume of paper money which had been issued for the purchase of lands began to come back to the banks for redemption, and redemption was impossible. The banks, therefore, were driven to suspend specie payments. In May all the banks of New York City suspended, and by summer there was not a single bank in the United States meeting its demands in gold and silver. Thus confidence was shaken; credit had received a blow under which it first staggered and then fell. As the banks went down trading concerns went down with them, and the re-

The Panic
of 1837

vulsion became general. Prices suddenly rose, flour jumping from five to eleven dollars a barrel and corn from fifty cents to a dollar a bushel. In New York City there were bread riots and the military were called out. Mills and factories were shut down, business houses closed their doors, contracts were canceled, improvement projects were halted, and workmen lost their jobs.

While the panic was sweeping over the country Van Buren, in response to public sentiment, called an extra session of Congress for the purpose of taking action to bring relief to the land. Inasmuch as a panic is a financial ailment which must run its course there was little that either the President or Congress could do to bring back good times. Van Buren was urged to withdraw the Specie Circular in order that paper money might again become plentiful; but as he was a "hard money" man, he refused. Indeed, he extended the scope of the circular and required that the business of the post-office be conducted on a specie basis. The friends of the late bank wished it to be reestablished, but Van Buren would not consent to this. The United States Bank, he said, did not or could not prevent inflation. Besides, had not the people in two elections declared against a national bank?

An Inde-
pendent
Treasury

He did, however, urge Congress to establish an Independent Treasury, where the Federal Government could keep its money in its own vaults, thus becoming independent of the banks. "It is apparent," he said, "that the events of the last few months have greatly augmented the desire among the people to separate the fiscal operations of the Government from those of individuals or corporations." The influence of the banks was thrown against the Independent Treasury scheme and the measure had a long and rough journey in Congress. At last, however, in 1840, an act was passed directing the Treasury of the United States to keep in its own vaults all the moneys coming into its hands. Under the new arrangement the funds of the Government were deposited in the Treasury building at Washington and in subtreasuries located in the principal cities of the country. Thus was established the Independent Treasury system, the only enduring monument of the Van Buren administration.

Van Buren
and
Harrison

By the time Van Buren had secured the divorce of the Government from the banks his term was drawing to an end, and a Presidential battle was raging. Although his administration had been severely condemned as responsible for the panic he was nevertheless

popular with his party; and he was unanimously nominated for reelection at a national convention held in Baltimore in May, 1840. An opposition ticket had already been placed in the field by the Whig party, the name now officially assumed by the National Republican party. The Whigs, who held their convention at Harrisburg, really wanted Clay as their nominee, but they were assured that he could not be elected. Accordingly, after indulging in much wire-pulling and political jugglery, they again chose as their standard bearer the hero of Tippecanoe, William Henry Harrison of Ohio. Their candidate for Vice-President was John Tyler of Virginia. Tyler was for Clay, "first, last and all the time." When he heard that the great Kentuckian had been defeated it is said that he burst into tears, and it is likely that it was this excess of emotion that led to his nomination as Vice-President.

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The campaign of 1840 was picturesque and noisy. On the Whig side it was enthusiastic beyond the bounds of common sense. "Monster meetings, processions, parades, spectacular entertainments of every kind, songs, were all so many opportunities of shouting, for howling out Harrison's name without further reference to the actions and qualities which marked him out for the Chief Magistracy." Harrison was a plain man living in a plain way on a farm in Ohio, and an Eastern newspaper suggested that it would be better for the country if he would remain there, declaring with a sneer, that the Whig candidate would be more at home "in a log-cabin, drinking cider and skinning coons than living in the White House as President." As vast numbers of the voters were themselves living in log cabins the Whigs could make good use of the sneer, and they did so. "Log cabin and hard cider" was taken up as the campaign cry. Men wore log-cabin buttons, smoked log-cabin cigars, and sang log-cabin songs. Log cabins were placed on wheels and pulled from town to town. As they rolled along merry fellows sat on the roof eating johnny-cakes, drinking cider, and shouting "Tippecanoe and Tyler too." In the West Harrison's name was on every tongue. Women named their children "Tippecanoe." Teamsters would call one of their horses Tip and the other Ty. "The very hens in the West," exclaimed a stump speaker, "are on the side of Harrison, for a hen nowadays never lays an egg but she cackles 'Tip-tip! Tip-tip! Tyler!'" The Whig meetings were the greatest gatherings that

A Noisy
Campaign

had ever been seen in America. People were counted by the acre. At Dayton, Ohio, there was a monster gathering covering ten acres of ground, and numbering 100,000 people.

The effect of all this sound and fury was irresistible. "It was like the breach made in Jericho's walls at the blowing of the trumpet and the great shout." The Democrats were hooted and shouted into defeat, and the victory of the Whigs was overwhelming. Harrison received a majority of the popular vote and 234 of the 290 electoral votes, and he carried all the States but seven. Jackson could not save even his own State of Tennessee for Van Buren, and Van Buren could not save even his own State of New York for himself.

Thus the era of Jacksonian democracy closed with the defeat of the Democratic party which had been in control of the Government for forty years. And who were the victorious Whigs? They were for the most men who belonged to the educated and well-to-do classes. Their party resembled the earlier Federalists, being composed largely of scholars, professional men, prosperous tradesmen, bankers, capitalists, and those who "basked in the sunshine of capital," manufacturers, and merchants. Their leaders were the ablest and most brilliant men of the day. They were found in large numbers in all parts of the country, in the South as well as in the North and West. But they were a heterogeneous body, composed of diverse and conflicting elements. Their only bond of union was a common desire to wrest political power from the Democrats. Had their party been one of fixed political principles it might have made a glorious record. But they were lacking in principles; they were faithful to no program. As a result they accomplished but little.

Suggested Readings

Jackson's triumph: Stanwood, Vol. I, pp. 141-150.

Election of 1832: MacDonald, pp. 183-199.

Bank question: McMaster, Vol. VI, pp. 183-198; Dewey, pp. 198-216.

Public lands and the Specie Circular: MacDonald, pp. 276-291.

Election of 1826: MacDonald, pp. 292-305; Stanwood, Vol. I, pp. 166-189.

Panic of 1837: Dewey, pp. 224-247.

Election of 1840: Garrison, pp. 123-140; Stanwood, Vol. I, pp. 190-205.

XV

INDUSTRIAL AND SOCIAL PROGRESS (1820-40)

IN the last two chapters the reader has followed an account of our political history from the close of the War of 1812 to the end of Van Buren's administration. But politics is not the whole story of this period. While politicians during the Era of Good Feeling and during the Jacksonian Era were fighting their battles in the halls of legislatures and on the hustings, business men and toilers far removed from the arena of political strife were working with all their might to develop the nation's resources. At this point therefore we must turn from the scene of politics to review the industrial and social progress that was made between 1820 and 1840.

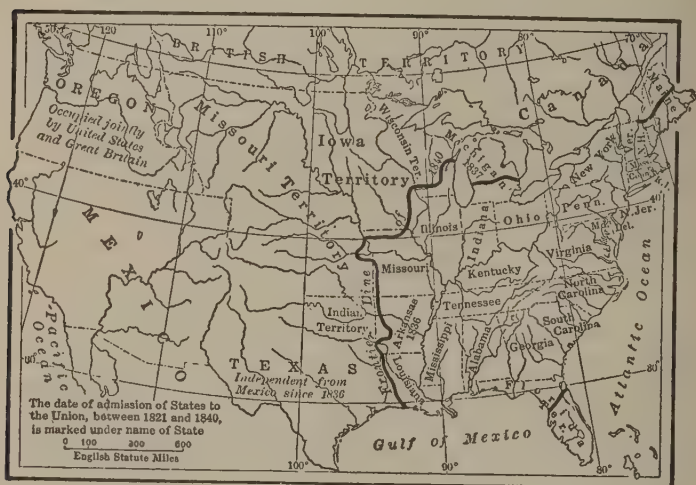
HIGHWAYS, CANALS, AND RAILROADS

The most striking feature of American progress during this period was the development in transportation. No single interest held a larger part of the public attention than the building of roads and canals. There was great activity in this direction in all parts of the Union, but the most remarkable results were the means of communication established between the East and the West and between the interior parts of the West itself. At the beginning of the period commercial intercourse between the seaboard States and those beyond the Alleghanies was so impracticable that it was hardly profitable; by the end of the period the East and the West had been connected by several serviceable routes of transportation, and a growing commerce was strengthening the political and economic ties of the two regions.

We have seen that from time to time efforts were made to secure the aid of the Federal Government in the work of road and canal construction and that such efforts usually ended in failure. In the main it was through the enterprise of the State or the locality that the transportation system was developed. To one project, however, Congress remained quite faithful; it continued to assist

The
National
Road
Extended

in the extension of the National Road. Under the fostering care of the National Government this highway was carried further and further westward; and by 1840 it had passed through Zanesville and Columbus in Ohio, through Richmond, Indianapolis, and Terre Haute in Indiana, and had reached its western terminus at Vandalia in Illinois. For many years the highway was a conspicuous feature of Western life. Traffic on it was so heavy that it presented a picture of an almost endless procession of moving figures, coaches, wagons, carts, travelers on horseback and on foot, and

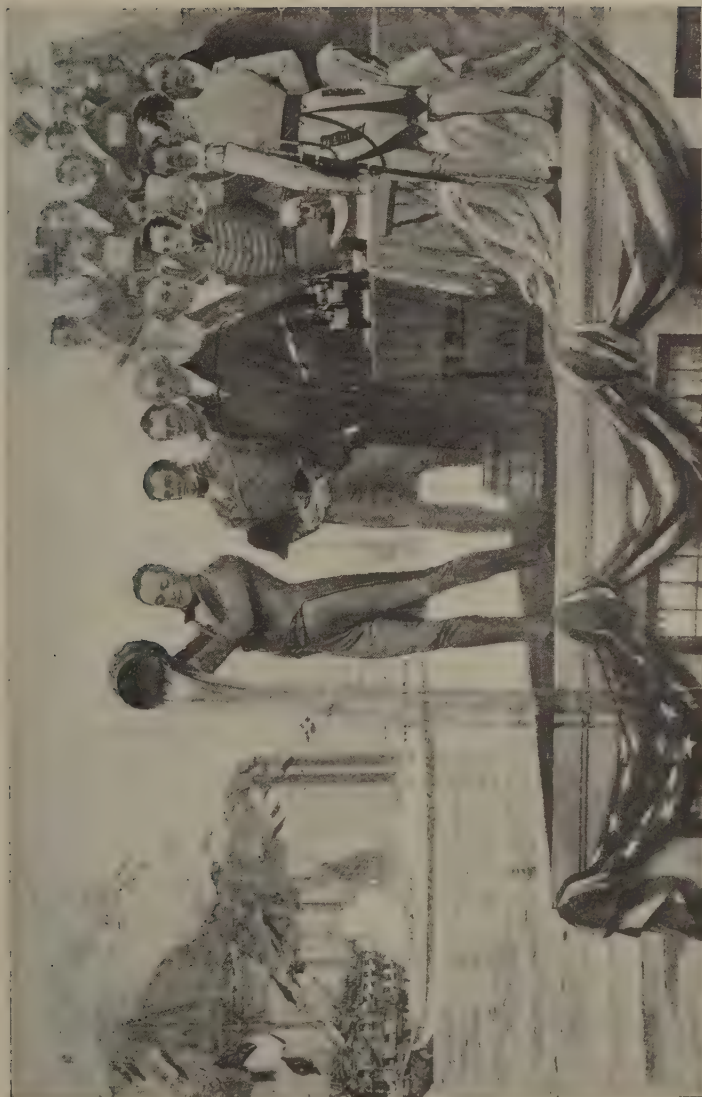


The United States in 1840

cattle of every description. Emigrants in large covered wagons were always moving westward while drovers with their cattle were always making their way to the markets of the East. At certain points the highway at times resembled a street in a populous city.

Steamboats

The transportation facilities afforded by the National Road were supplemented by the hundreds of steamboats which were now plying on the Western rivers. The effect of steamboat navigation in the West was to build up the Gulf trade. The farmers of the Ohio Valley could ship their grain by water to New Orleans and receive a price sufficient to pay the freight and still leave a profit;



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THE MARRIAGE OF THE GREAT LAKES AND THE ATLANTIC

but if they should send it by land over the mountains to the Atlantic seaboard the cost of transportation would eat up the proceeds. It was as natural, therefore, for the Western trade to find its way to the Gulf ports as it was for water to run down-hill.

In this movement of commerce there was both a political and an economic danger. If trade should continue to flow away from the East the Western States in time might become imbued with a sectional spirit and might wish to separate themselves from the Union. If the farmers of the West, furthermore, should trade only with the South the economic loss to the East would be disastrous. The business men of New York, Philadelphia, and Baltimore, therefore, could not afford to let the Western trade slip away from them. Before it was too late they bestirred themselves to set on foot plans for establishing means of communication by which the East

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A Political
and an
Economic
Danger



The National Road

and the West might be held together by commercial ties. If this could be done political bonds would likely take care of themselves.

Since goods could not be moved cheaply over roads the people of the seaboard looked to the canal as a means of securing the Western trade. Leaders like Jefferson and Washington had always been alive to the possibilities of the canal as an agency for completing the circuit between the waterways of the East and those of the Mississippi Valley. "Extend," said Washington, "the inland navigation of the Eastern waters; communicate them as near as possible with those which run westward; open these to the Ohio;—open also such as extend from the Ohio towards Lake Erie—and we shall not only draw the produce of the Western settlers but the pelts and fur trade of the Lakes also to our ports, binding the people to us by a chain which can never be broken." Canal building on a large scale began in 1817 when De Witt Clinton, governor of New York, turned the first spadeful of earth on the

Canals

Erie Canal which was to be built at the expense of the State and was to extend from Albany to Buffalo, connecting the Hudson River with Lake Erie. The prime object of this canal was to give the merchants of New York City easy communication with the western part of the State and also with the great Western country beyond.

In 1825 the canal was completed and thrown open to the public. Its opening was celebrated in a manner worthy of an event which has had such profound significance in American history. The celebration began at Buffalo. Along the canal from that town to Albany and along the Hudson River from Albany down to the sea cannons had been placed, and at the moment when the canal was opened at Buffalo the cannons began to open their throats, carrying the news along the whole length of the waterway down the Hudson to New York City. A return salute was given informing the people of Buffalo that the people of New York had heard the glad news. Starting at Buffalo on October 26, a fleet of gaily decorated boats left Buffalo and moved slowly eastward along the canal. As they passed they were greeted at town after town by bands of music and by cheers of thousands who stood on the banks. On the morning of November 4 the procession of boats reached New York. A flask of water was poured into the bay by Governor Clinton and the waters of the Great Lakes were declared to be united forever in marriage with the waters of the Atlantic Ocean.

In the mind of Clinton the canal was to be both a political and a commercial tie between the East and the West. "As a bond of union between the Atlantic and the Western States," he said, "it may prevent the dismemberment of the American empire. As an organ of communication between the Hudson, the Mississippi, the St. Lawrence, the Great Lakes of the North and West and their tributary rivers, it will create the greatest inland trade ever witnessed. The most fertile and extensive regions of America will avail themselves of its facilities for a market. All their surplus productions whether of the soil, the forest, the mines, or the water, their fabrics of art, and their supplies of foreign commodities will concentrate in the city of New York. That city in the course of time will become the granary of the world, the emporium of commerce, the seat of manufactures, the focus of great moneyed operations, and before the revolution of a century the whole island of

Manhattan, covered with habitations and replenished with a dense population will constitute one vast city."

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The Erie Canal was hardly finished before plans were laid for a system of canals from Philadelphia to Pittsburgh. The merchants of Philadelphia were no less eager for the Western trade than were those of New York. In 1826 the State of Pennsylvania began the construction of the Pennsylvania Canal, and nine years later one could travel by a horse-railway from Philadelphia to the town of Columbia, on the Susquehanna; thence by a canal along the Susquehanna and Juniata to Hollidaysburg; thence by a portage railway—a series of inclined planes upon which cars were operated by means of stationary engines—over the Alleghany Mountains to Johnstown; thence by canal to Pittsburg. Thus Philadelphia found an easy route to the West.

The Penn-
sylvania
Canal

As an agency of transportation the canal was vastly superior to the turnpike. In the first place it made traveling easier. On the canals there were special boats called packets. These were fitted up with berths and dining-rooms, and on them passengers could travel comfortably and at cheap rates. The movement, to be sure, was slow—only four or five miles an hour,—but the journey was pleasant: in fine weather the travelers sat on the roof of the packet and read or played cards, or amused themselves in other ways. More important than the added convenience of traveling was the reduction in charges for carrying freight. Before the Erie Canal was built it cost one hundred dollars to transport a ton of goods from Buffalo to New York; the canal reduced the cost to less than twenty dollars. An immediate result of the lowering of freight rates was to cause trade in great volume to flow toward the canal. Within a year after it was opened 19,000 boats loaded with lumber, grain, furs, and other kinds of freight were counted as they passed West Troy on their way to New York. In 1835 there were shipped on the canal from Ohio alone 86,000 barrels of flour, 98,000 bushels of wheat, and 2,500,000 staves.

The Canal
Reduces the
Cost of
Transporta-
tion

Almost before the canals were in full operation railways began to appear. On the first railroads the cars were drawn by horses, and a speed of only six or eight miles an hour was obtained. But experiment soon proved that the steam locomotive could be substituted for the horse. In England, George Stephenson had shown as early as 1826 that the iron horse could transport passengers and freight, and by 1830, on the Liverpool & Manchester road, loco-

Railroads

tives were speeding along at the rate of thirty miles an hour. Of course America could not lag behind. About 1825 the business men of Baltimore began to look to the railroad as a new means of communication with the West, and by 1830 they had built a portion of the Baltimore & Ohio Railroad and had placed on its tracks a locomotive invented by Peter Cooper. Cooper was his own fireman and engineer on the trial trip of this locomotive, which was made be-



Erie Canal, Pennsylvania Canal, and Baltimore and Ohio Railway

tween Baltimore and Ellicott Mills, a distance of thirteen miles. On the way back to Baltimore the locomotive had a race with a horse drawing a car on a parallel track. The locomotive at first kept the lead, but, owing to an accident, the horse in the end won the race. Still, the trial was in the main successful.

After this humble beginning new lines were rapidly laid in many parts of the country. In 1843 the "Railroad Journal" said: "There are now between four and five thousand miles of railroad in use in the United States built by the expenditure of nearly

\$100,000,000. There are now probably more than 500 locomotive engines in use, nearly all of them built in this country. Eleven years ago a dead level was by many deemed necessary, and grades thirty feet to the mile were hardly thought admissible. Now engines are in daily use which surmount grades of sixty to eighty feet to the mile. Eleven years ago it was thought that railroads could not compete with canals in carrying heavy freight. Now we know that the most profitable of the Eastern railroads derives one-half of its income from bulk freight. Eleven years ago the profitableness of railroads was not established. Now it is already demonstrated by declared dividends that well-constructed railroads are the most profitable investments in our country."

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FILLING UP THE WEST

An immediate result of this remarkable development in the routes of transportation was to accelerate the westward movement. But this was not a time for the formation of new States in the West. After the admission of Missouri in 1821 it was fifteen years before another State entered the Union. Western development between 1820 and 1840 consisted mainly not in organizing new territory but in filling up the vast region that was organized between 1800 and 1820.¹

The most powerful factor in filling up the vacant spaces was the Erie Canal. The first effect of the new waterway upon the westward movement was of course to open up western New York, which was soon "blossoming as the rose," as Clinton prophesied it would. Villages and towns soon lined the canal from one end to the other. Utica, Syracuse, Rochester, and Buffalo, mere villages when the "big ditch" was opened, had grown by 1840 to be flourishing cities.

Western
New York

The influence of the canal quickly spread to regions far beyond the State of New York. The westward moving packets carried throngs of emigrants—home-seekers leaving New England or New York—bound for the country bordering on the Great Lakes, Northern Ohio rapidly filled up with settlers. Cleveland became a hustling little city, Toledo a thriving town. Thousands moved on to the Michigan country. Here growth had been slow. In 1805 the lower peninsula of Michigan had been cut off from Indiana Territory and organized as Michigan Territory with William Hull

Michigan

¹ See pp. 223-232.

as the first governor and Detroit as the first capital. But it was a wild and desolate region that Hull went out to govern. The great forests were still as unbroken and as untrodden as they were when explored by the followers of Champlain two hundred years before. The only settlements were Detroit, Mackinaw, and Frenchtown. The chief occupation was fur trading. In all the Territory there were in 1810 less than five thousand persons. But about 1820 Michigan began to feel the pulsations of American progress. The steamboat *Walk-in-the-Water* appeared in 1818 at Detroit and the next year at Mackinaw, where the red men were made to believe that the strange-looking vessel was drawn by a team of trained sturgeon. Seven years after the appearance of the steamboat on the Great Lakes the Erie Canal was opened, and a new era dawned upon Michigan. Streams of emigrants from New York and New England, making their way to the shores of the upper lakes, populated the region at a rate so rapid that by 1837 Michigan Territory numbered more than a hundred thousand souls. Michigan was now ready for statehood, and the boon was conferred upon her.

Trade
Between the
West and
the South

The rapid development around the Great Lakes was matched by a growth equally rapid around the Gulf of Mexico. As transportation was the chief agency of progress at the North, so it was at the South. It was the presence of the steamboat upon the rivers of the Middle West and upon the numerous navigable streams flowing into the Gulf that made it possible for the States bordering on the Gulf to achieve their economic aims. In the Gulf States cotton culture had become so profitable that planters desired to raise nothing but cotton; their foodstuffs and horses and cattle they preferred to buy outside of the South. In the States north of the Ohio there was a surplus of the products needed by Southern planters. Hence the grain growing States of the Middle West supplied the wants of the cotton growing States, a thing which they were enabled to do by the steamboat and the network of rivers. Vast quantities of pork, lard, beef, butter, cheese, corn, flour, and whisky were shipped from the Ohio Valley to the cotton States.

The
Removal of
the Indians

Having put all his eggs in one basket the planter's chief ambition was "to raise more cotton to buy more negroes to raise more cotton to buy more negroes." Besides wanting more negroes, the planters of course were always striving to secure more land, and it was during this period that they made enormous additions to

the area of cotton culture. The fresh land was rendered available by the removal of many thousands of Indians from the South. When the red men of the South had been put down by Jackson¹ they had for the most part been allowed to remain on their lands. In 1820 more than 60,000 Indians—Creeks, Cherokees, Chickasaws, Choctaws, and others—were living in Georgia, Alabama, Mississippi, and Tennessee and were occupying extensive tracts of the best land of the South.



Navigable Rivers about 1820

The white men longed to become the possessors of these lands, but the Indians were reluctant to give them up. Jackson, though he had been the scourge of the Indians in warfare, was nevertheless disposed to treat them fairly. While he was President he proposed that the red men be given the choice of either remaining on so much of their lands as they could use and conforming to the laws of the State in which they happened to be living, or of surrendering their lands east of the Mississippi in exchange for lands west of that river. If there was to be emigration it was to be voluntary, for, said Jackson, it would be as cruel as unjust to compel the aborigines to abandon the lands of their fathers and seek a

¹ See p. 216.

home in a distant country. By 1830 experience had shown that it was impracticable for the Indians to remain on these lands and submit to the white man's laws, and emigration was the only choice left them. Through a series of treaties with the Government they consented to surrender their lands east of the Mississippi to the United States and to receive in return grants of land west of the Mississippi in the region known as Indian Territory. The Indians were induced to agree to the treaties by the persuasive powers of the President himself. "Friends and brothers," said he in a "talk" read by his order to the chief of the Creeks, "listen: Where you now are, you and my white children are too near to each other to live in harmony and peace. Your game is gone, and many of your people will not work and till the earth. Beyond the great river Mississippi your father has provided a country large enough for all of you, and he advises you to remove to it. There your white brothers will not trouble you; they will have no claim to the land, and you can live upon it, and all your children, as long as the grass grows or the water runs, in peace and plenty. The land beyond the Mississippi belongs to the President and to none else, and he will give it to you forever." Most of the tribes acquiesced in the policy of removal, and by 1840 but few of them were left in their old homes in the South. Thus the red man was got rid of and upward of 30,000,000 acres of excellent land were thrown open to the cultivation of cotton.

Arkansas

The cotton kingdom of the South was further enlarged in 1836 by the admission of Arkansas. What is now Arkansas formed a part of Louisiana Territory till 1812 and a part of Missouri Territory till 1819, when Arkansas Territory was organized. The Territory received an overflow of population from Kentucky, Tennessee, and Missouri, and its growth was rapid. Its soil was adapted to the raising of cotton, and, since by the terms of the Missouri Compromise it could become slave soil, it came in as a slave State. Its admission was regarded as an offset to Michigan, which was about to come in as a free State.

Although Arkansas and Michigan were the only accessions to the Union during this period, the actual growth of the West was amazing. All parts of the Western country as far as the Mississippi felt the effects of the new routes of transportation. By 1840 the Ohio Valley had become almost an empire in itself. Ohio, Indiana, and Illinois had a combined population of nearly three millions,

while Kentucky and Tennessee together could count more than a million and a half; Ohio ranked third in population and was almost as populous as Pennsylvania; while Tennessee ranked fourth and was more populous than Massachusetts. The West was still rural throughout its whole extent; and with the exception of New Orleans and Cincinnati there was in 1840 not a single city west of the Alleghanies that could boast of a population of 25,000. St. Louis was still a little place of 16,000 souls.

INDUSTRIAL AND COMMERCIAL PROGRESS

While the West at this period was still wholly rural, the East was beginning to have cities of considerable size. New York, with a population of 123,000 in 1820, had by 1840 passed the 300,000 mark; Philadelphia had jumped from 112,000 to 220,000; Baltimore from 62,000 to 102,000; Boston from 43,000 to 100,000. In addition to these larger places scores of smaller cities were springing up. By 1840 Lowell, New Bedford, Lynn, Providence, Springfield, Hartford, New Haven, Troy, Brooklyn, Newark, were all in the rank of cities that had a population of more than 10,000. Between 1820 and 1840 the number of cities with more than 8000 inhabitants increased from thirteen to forty-four, while the percentage of the urban to the total population nearly doubled.

This emergence of an urban population was due to a profound change that was taking place in the whole fabric of American society. People were flocking to the cities to work in the factories that were being established in all parts of the North. The household system of manufacturing was now passing away. Instead of the little shop with its master and journeyman and apprentice there was rising the great factory with its scores and hundreds of employees. This industrial revolution, which in England was well under way by the end of the eighteenth century, had its beginning in the United States in 1790 when Samuel Slater, an Englishman by birth, went to Pawtucket, Rhode Island, and set up a good sized cotton factory, equipping it with machinery such as was used in England. Slater Mill was a success, yet the factory system developed but slowly; the household system for many years continued to hold its own. In 1810 Gallatin in an official report declared that by far the greater part of the goods made of cotton, flax, or wool was manufactured in private families and that two thirds of the

clothing worn by the inhabitants of the United States not residing in cities—and that meant 90 per cent of all the inhabitants—was the product of family manufacturing. But the War of 1812, inventions and improved processes of manufacture, and the successive protective tariffs stimulated manufacturing in a wonderful manner, and factories multiplied. By 1830 the factory system had already secured a firm foothold, and by 1840 factory-made goods had driven from the market many classes of articles manufactured in the household.

Although the American factory was late in making its appearance it readily attained a high degree of efficiency. Especially was this true of the factories at Lowell where the establishments were the largest and the arrangements the most perfect. "It may," said a writer describing the cotton manufactures of this city in 1840, "it may without fear of contradiction be asserted that the factories at Lowell produce a greater quantity of yarn and cloth from each spindle and loom (in a given time) than is produced in any other factory without exception in the world." Nor could the workers in these mills find their equals in the factories of the Old World. "As we arrived at Lowell on the afternoon of Saturday," says an Englishman visitor of the mills in 1833, "we had an opportunity of seeing those connected with some of the largest cotton factories returning from labour. All were clean, neat, and fashionably attired. Their general appearance and deportment was such that few British gentlemen in the middle ranks of life need have been ashamed of leading any one of them to a tea-party. Next day being Sunday we saw the young females belonging to the factories going to church in their best attire when the favorable impressions of the preceding evening were not effaced."

But there is a darker side to this picture. In the early years of the factory system labor conditions both in England and America were, generally speaking, discreditable. Hours were long and wages were low. The chief object of the employer was to secure the maximum of service for the minimum of pay. President Monroe once congratulated the manufacturers on the fall of the price of labor apparently so favorable to the success of domestic manufactures. As if human labor was raw material and nothing more! In the mills of New England the operatives worked on an average seventy hours a week. In a factory in Paterson, New Jersey, one of the rules required "the women and children to be at their work

at half-past four in the morning. They are allowed half an hour for breakfast and three-quarters of an hour dinner and then work as long as they can see." Of the workers in the factories a vast majority consisted of women and children, for in both England and the United States "the cradle and the home were robbed to secure victims for the natal sacrifice of the new-born capitalism." Of the 60,000 employed in the cotton mills more than 40,000 were women and children less than twelve years of age. Of 8500 persons thus employed in Rhode Island more than 3000 were women who worked for \$2.50 a week and nearly 3500 were children under twelve who worked for \$1.50 a week. A vaunted advantage of the factory system was that it permitted the employment of little children whose labor was of little use in any other branch of industry.

Of the manufacturing industries the three most important were those of cotton, wool, and iron. In the amount of cotton consumed the United States in 1830 was second only to England. The woolen industry did not fare so well for it could not meet the sharp competition of English importations. Improved machinery was brought into use in the manufacture of woolens and the tariff on woolen goods was shoved higher and higher, yet the industry could barely hold its own. In 1815 the total value of the product of American woolens was \$19,000,000; twenty-five years later it was only \$20,000,000. In the iron industry the progress was vastly more rapid. In 1820 the output of iron was 20,000 tons; in 1840 it was 315,000 tons. This increase was due in part to the fact that about 1835 there sprang up a lively demand for iron in railroad construction. It was about this time, also, that better processes in the manufacture of iron were introduced. About 1830 the hot-air blast began to be used in the smelting of iron, and about 1840 anthracite coal was used instead of charcoal in the furnaces for smelting. The greater part of the iron industry was confined to a small territory. Of the total number of all the furnaces in the United States in 1840 half were in the two States of Pennsylvania and New York. Besides cotton, wool, and iron there were of course other manufactures, many of them in a prosperous condition. At the close of the period the total value of our manufacturing output was something like \$500,000,000, a very small sum for our day but for 1840 a really stupendous figure.

Commerce during this period wore a double aspect; foreign trade was sluggish while inland trade was bounding along at high speed. The ocean trade was still suffering from the injuries which had been inflicted upon it by France and England and by the embargo in the War of 1812. In 1830 it was smaller than it had been in 1800, and it was not until 1840 that it began to regain the prosperity it had had at the opening of the century. More than 80 per cent of the country's exports consisted of products of the farm, and three fourths of all the agricultural products exported consisted of cotton. Of the foreign trade less than 10 per cent. of what we sold abroad consisted of manufactured articles.

The prosperity of the inland trade was due, of course, to the opening of the West and to the development of the transportation system. To understand the movements of inland trade at this period we must begin with commercial conditions in the South. The planters sold their cotton to the New England and Middle States and to Europe, and, as we have seen, brought from the West its surplus of agricultural products.¹ This surplus amounted in some years to as much as \$100,000,000, a sum which in 1840 about equaled the total value of our export trade. With the money which they received from the South the Western people bought the manufactures of the East. By 1840 the South was getting rich selling its cotton to the East; the West was getting rich by selling its grain to the South; and the East was getting rich by selling its wares to the South and West. Between the East and the West trade moved chiefly in one direction. Eastern manufactures went westward over the Erie and Pennsylvania canals, but produce from the West did not begin to move to the East in large quantities until railroads had been built over the Alleghanies, and this was considerably after 1840.

EDUCATION AND LITERATURE

"We Must
Educate or
We Must
Perish"

Commerce and industry and material things did not absorb the entire energy of the nation; men were not living by bread alone; indeed the things of the spirit at this time were receiving more attention than at any previous period in our history. Education in particular was becoming an object of unusual concern. There was reason for concern; for education in the United States after the

¹ See p. 302.

War of 1812 was neglected, and by 1825 the schools had become shamefully inefficient. Presently, however, there was an educational revival. Public men began to realize that the foundation of democracy is an enlightened electorate. "We must educate," said Webster, "or we must perish." Jefferson expressed the same sentiment when he wrote of "a system of general instruction which shall reach every description of our citizens from the richest to the poorest." This demand for education did not come from the great alone. Toilers were now crying out for a system of public schools. At a working-men's meeting held in New York in 1830 it was resolved that next to life and liberty education is the greatest blessing bestowed upon mankind, and the demand was made that a general system of free schools be established at the public expense.

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The cry of the working-men was heard with respect by those in authority, and soon a movement for popular education was gaining strength in many parts of the country. In New England the movement was led by Horace Mann, a statesman as well as an educator. About 1837 Mann began his great work of school reform. He went up and down Massachusetts and urged the people to spend more money on the schools, to employ better trained teachers, and to build better school-houses. His message was not one of joy to the taxpayers, yet it could not be disregarded, for the factory system which was gaining such headway required operatives of trained intelligence. Mann presented precise statistical details showing "that throughout the whole range of mechanical industry the well educated operative does more work, does it better, wastes less, uses his allotted portion of machinery to more advantage and more profit, earns more money, commands more confidence, rises faster, rises higher from the lower to the more advanced positions of his employment than the uneducated operative." Mann's efforts met with a considerable measure of success, and it was not long before a general improvement in public education could be observed throughout all New England.

Horace
Mann

In the Middle and Western States also there was a response to the educational movement of the day. In New York the authorities for a long time had failed to give free education the hearty support it deserved; but the State that was now taking the lead in so many lines of activity could not afford to lag behind in such an important matter. New York, accordingly, responded to the spirit of the times, and by 1830 she was supporting more than a thousand public

Education
in the Older
States

schools at public expense. Pennsylvania also fell in line and established in 1834 a system of common schools. In Maryland, Virginia, and other Southern States the movement found but little support. Many years were yet to pass before the South should begin to enjoy a complete system of schools free to all children.

In the West popular education was still in a crude state of development. This was to be expected, for the conditions of pioneer life did not admit of a highly organized system of education. "The early settlers," says a writer describing the free schools of Ohio, "were too busy in erecting rude habitations, felling trees, hauling timber, making clearings, guiding plows through rocky ground, and making passages to the mills and markets to allow them to give their attention to any other interest that could be deferred till a more convenient time."

But school interests in the West were by no means wholly neglected: indeed, by 1840 in almost all the States west of the Alleghanies foundations of a complete system of free education were being laid. In the work of building up their schools the people of the West were assisted by the Ordinance of 1787, which provided that in the government of the Northwest Territory education should be encouraged.¹ This provision was in all cases carried out, although the encouragement was often given in a lukewarm and dilatory fashion. The assistance involved setting aside liberal grants of public land for educational purposes. When a State entered the Union one section—640 acres—of every township was reserved for the public schools. In case a tract of school land was sold to a private purchaser the money received for the land was invested, the interest being spent from year to year in supporting the public schools. Relying upon these land grants as nest-eggs for support, the people in every Western State undertook the establishment of a broad and comprehensive system of public instruction. Thus Indiana when she framed her constitution provided "that it shall be the duty of the General Assembly to provide by law for a general system of education ascending in regular gradation from township schools to a State University where tuition shall be *gratis* and equally open to all." In time this came to mean that every boy and girl in the State was to have a chance to receive an elementary education and that even the doors of the college should be open to those who desired to enter. What was done for

¹ See p. 164.

free education in Indiana was done in almost every State west of the Alleghany Mountains.

The revival extended throughout the whole educational world from the primary school to the university. Higher institutions of learning sprang up in all parts of the country, and before the end of our period nearly eighty colleges and universities had been established. In the West, where two townships of public land were reserved in every State for the support of a university, Ohio University, Indiana University, and the University of Michigan had been organized and were training youths in the higher branches. Institutions established by private munificence included those designed for instruction of almost every variety. The beginning of scientific training in the manual and industrial arts was seen in the Rensselaer Polytechnical School founded in New York in 1824. In 1831 Stephen Girard of Philadelphia left a bequest of \$2,000,000 for the foundation of the famous orphan school which bears the name of Girard College. The University of Virginia, which was founded by Jefferson in 1819 and which became the object of his tenderest care, more nearly approached the idea of a European university than any other American institution. A beginning of the advanced education of women was made in 1836 when Mount Holyoke Seminary was opened. In 1839 the first normal school was established at Lexington, Massachusetts. Among the private institutions planted at this time not a few grew to be permanent and influential centers of learning: notably Amherst, Hamilton, Oberlin, Randolph-Macon, Haverford, De Pauw, Knox, Lafayette, Marietta, Tulane, and Wesleyan.

A more general diffusion of knowledge could only lead to a greater and wider demand for good reading. Accordingly the educational revival was accompanied by a literary awakening, and so pronounced was the outburst of genius that the period may fittingly be called the springtime of American literature. Before 1800 a few books of essays and poetry and fiction were written by American authors, but they were so dull and tiresome that it has been said of them that it "took patience to read them and patriotism to admire them." As late as 1818 Sydney Smith said: "Native literature the Americans have none. It is all imported. They had indeed a Franklin, and he may live for half a century more on his fame. There is, or was, a Mr. Dwight who wrote some poems, and his baptismal name was Timothy. There is also a small account of

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Institu-
tions of
Higher
Learning

A Literary
Awakening

Virginia by Jefferson, and one epic by Joel Barlow, and some pieces of pleasantry by Mr. Irving. But why should the Americans write books when a six weeks passage brings them in their own tongue, our sense, science, and genius in bales and hogsheads? Prairies, steamboats, gristmills, are their national objects for centuries to come."

This sneering criticism quickly lost its point and meaning, for presently there came to the front a group of writers whose works have won for American literature an imperishable fame. In 1819, about the time Smith wrote his scathing review, Bryant surprised the literary world with his "Thanatopsis," whose beauty and excellence showed that America had at last produced a poet of high rank. Books of originality and power now came thick and fast. Cooper began to publish in 1821; Hawthorne in 1828; Poe in 1829; Whittier in 1831; Longfellow and Prescott in 1833; Bancroft in 1834; Emerson and Holmes in 1836; Lowell in 1841; and Parkman in 1847. Here was a literary constellation of which any nation might be proud.

Schools and books were not the only agencies by which knowledge was spread at this time. The newspaper was reaching an ever widening circle of readers. In 1833 "The New York Sun" began its remarkable career, issuing the first really successful penny paper in the world. Two years later James Gordon Bennett sent out from a dingy cellar in Wall Street the first copies of "The New York Herald," a daily which sought news in every direction and filled its columns with matter that was often sensational, although it always tried to be accurate. At the end of our period came Horace Greeley's "New York Tribune," a journal which despite its novelties and its "amiable idiosyncrasy" influenced profoundly the course of public affairs. These newspapers were the first to have "the omnipresent reporter and the omniscient editor who now help and hinder, stimulate and exasperate us so much."

SOCIAL BETTERMENT

Popular sentiment the world over at this period was directed to schemes of social betterment. "It was a time," says Woodrow Wilson, "when the world at large was quivering under the impact of new forces, both moral and intellectual. The year 1830 marks not only a period of sharp political revolution in Europe but also a

season of awakened social conscience everywhere. Nowhere were the new forces more profoundly felt than in England, where political progress has always managed to be beforehand with revolution. In 1829 Catholic emancipation was effected; in 1832 the first reform bill was passed; in 1833 slavery was abolished throughout the British Empire; in 1835 the long needed reconstitution of the government of municipal corporations was accomplished; and in 1836 the act for the commutation of tithes was adopted. Everywhere philanthropic movements showed the spirit of the age."

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In the United States this feverish desire for reform agitated society in all its ramifications. "No sooner do you set your foot upon American ground," wrote Tocqueville in 1835, "than you are stunned by a kind of tumult; a confused clamor is heard on every side; and a thousand simultaneous voices demand the satisfaction of their social wants." One of the reforms which attracted the Frenchman's attention was the temperance movement. The use of ardent spirits in the United States had become so general and intoxication such a flagrant evil that it seemed necessary to do something to check the vice of intemperance. Temperance societies were formed pledging their members to abstain from strong drink. At first only a few radicals regarded beer and wine as harmful beverages, but in 1836 a national temperance convention resolved that the only effective basis for temperance work was total abstinence from all drinks that can intoxicate, including beer and wine as well as distilled liquors. The temperance crusade prospered and its beneficent results were felt in every State of the Union. The consumption of strong liquors was diminished and thousands were saved from the drunkard's grave. Moreover, the temperance movement begun at this period never died out. Indeed, it became so strong that its leaders soon entered the field of legislation where they remained until the doom of John Barleycorn was sealed.

The
Temperance
Movement

A large class of reformers directed their energies to the amelioration of the conditions which surround the poor and unfortunate. A cry of protest went up against the treatment of debtors; and no wonder, for it was estimated that in 1833 as many as 75,000 persons were sent to jail each year for debt. Yielding to the pressure of public opinion many of the States enacted measures abolishing imprisonment for debt. Another reform secured the better treatment of the insane. It was the custom to confine lunatics in

The Poor
and the
Unfortunate

ordinary prisons, and examination brought to light the fact that in many places the conditions of their confinement were so revolting as to be a disgrace to humanity. To the credit of public sentiment the disclosures bore good fruit. In State after State the insane were separated from the criminal class and confined in hospitals, where they became the objects of special care. Paupers and criminals also felt the beneficent effects of the humanitarian movement. Almshouses were brought under stricter supervision and the hardships of prison life were mitigated by rational and salutary reforms.

It was in this period that working-men began to organize, those engaged in the same trades or allied trades uniting in a permanent association, the abiding purpose of which was to promote in every lawful way the general welfare of the associated members. The formation of these trade-unions was a direct outgrowth of the changed industrial conditions in which workmen found themselves after the establishment of the factory system. The aims of the unions were usually clear and well defined. We have already seen them demanding free schools. But wages and hours of labor were the subjects in which they were most deeply concerned. They wanted the working-man to receive a wage that would enable him to buy a fair share of the good things of life, and they wanted the working day to be of a length that would give leisure for the enjoyment of the benefits of education, culture and refinement. To assist in the promotion of their interest they established their special trade journals. The first trade-union journal in the world was "The Mechanics' Free Press," published in Philadelphia from 1828 to 1831. The unions had their benefit funds for the sick and unemployed and for men on strike. For at this early date they had their strikes and the accompanying boycotts and picketings. The trade-union movement, which about 1825 was beginning to show strength, flourished in nearly all the larger industrial centers. In 1833 twenty-two labor societies participated in a parade in New York. By the end of our period the labor movement was assuming real importance as a factor in the industrial life of the country.

During this era of agitation socialism had its beginnings in the United States. Among the many plans for social betterment there was one which had for its aim the reorganization of society on a socialistic or communistic basis. In 1824 Robert Owen, a rich and capable manufacturer of England, purchased a tract of 30,000 acres along the Wabash River and began an experiment in

communal life. To his community, called New Harmony, he invited all industrious and well-disposed persons who desired "to test the socializing potency of human brotherhood." He desired that in New Harmony property should be held in common. Individual ownership of lands, houses, and cattle was not to be allowed. Every member of the community, however, was to be fully supplied with the comforts and necessities of life. About a thousand people responded to Owen's invitation, and the experiment was begun. There were times when the community seemed to be prospering, but after three years of trial the communistic venture went down in failure. "There was not," said Owen, "disinterested industry; there was not mutual confidence; there was not practical experience; there was not union of action because there was not unanimity of counsel. These were the points of difference and dissension, the rock upon which the social bark struck and was wrecked."

Now it was that women for the first time began to take part in public affairs. In the temperance movement women asserted themselves and rendered effective service in carrying forward the work. In politics, however, the voice of woman was seldom heard. In truth, the hour for woman had not yet struck. Her lot still was to sit at home and knit. When Harriet Martineau visited the United States in 1840 she found there was not a woman lawyer or a woman physician in the whole country, and that only seven occupations were open to women; namely, teaching, type-setting, household service, needlework, work in book-binderies and cotton mills; and keeping boarders. In most parts of the country any attempt at the emancipation of women was sternly repressed by public sentiment. That a woman should speak in public was commonly regarded as monstrous. Once when Susan Anthony, the great pioneer champion of woman's rights, had finished the reading of a paper at a convention of school-teachers, a prominent man said to her: "In matter and manner I could not criticize your essay; but, my dear young woman, I would rather have followed my wife and daughter to the grave than to have either of them stand here before this audience and read that address."

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The Hour
for Woman
Had Not
Yet Struck

THE ABOLITION MOVEMENT

Nevertheless, in spite of this prejudice against feminine activity in public affairs, a few women made bold to take part in the most important movement of the period—the movement for the abolition

William
Lloyd
Garrison

of slavery. For it was during this time of social ferment that the antislavery sentiment was aroused from the slumber into which it had sunk after the Missouri Compromise. The abolition forces were led by William Lloyd Garrison, one of the most remarkable men of his age and the most masterful agitator the country has ever seen. Garrison in his private relations was a "mild, courteous, simple, sprightly gentleman." "His countenance," said Harriet Martineau, "glows with health, and is wholly expressive of purity, animation, and gentleness. His speech is deliberate like a Quaker's, but gentle as a woman's. Through the whole of his deportment breathes the evidence of a heart at ease." But Garrison, the abolitionist, was a different man. Regarding slavery as a sin, he refused to believe that there could be a sin without a sinner or that the sinner could be separated from the sin. When he denounced slavery, therefore, he at the same time denounced the slaveholders, and his utterances were so fraught with wrath and violence that he easily earned the reputation of being a severe, narrow-minded, uncompromising fanatic.

"The
Liberator"

Uncompromising Garrison certainly was. In 1831, in the first number of his "Liberator," which he edited and printed, setting the type with his own hands, he announced in a salutatory what might be expected of him as an antagonist of slavery: "I will be as harsh as truth and as uncompromising as justice. On this subject I do not wish to think or speak or write with moderation. No! No! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen—but urge me not to use moderation in a cause like the present. I am in earnest—I will not equivocate—I will not excuse—I will not retreat a single inch—and I will be heard!" These were big words but they came from a heart that was stout. "Having taken in my hand the trumpet of God," he said, "I resolved to blow a strong blast."

Garrison was not overbold; the sound of his trumpet was heard far and wide. To his call for immediate emancipation, unconditional and without compensation, there was a quick and gratifying response. Antislavery journals increased in number, antislavery books and pamphlets came teeming from the press, and the antislavery organizations in the North by 1835 could be counted by the hundreds and in 1840 by the thousands.

In demanding freedom for the slave the abolitionists threw themselves against the ruling sentiment of the country. In no section, whether in the North or South or West, was public opinion at this time favorable to abolition. John Quincy Adams declared that in 1835 there were not more than four or five members of the House of Representatives who would have voted for the abolition of slavery even in the District of Columbia. Of course the abolitionists could not fly in the face of public opinion without paying the penalty. In the South they were denounced as fiends in human shape who deserved the halter. Slaveholders demanded of the North that force be used to put them down and that laws be made to imprison their orators and stop their presses. This appeal of the South did not pass unheeded. Throughout the free States the denunciation of abolitionists was everywhere violent. Their meetings were set upon by turbulent mobs, their printing-offices were destroyed, their houses were wrecked and their leaders subjected to violence. In Boston Garrison himself was dragged through the streets with a halter around his body, men of prominence taking part in the persecution. In Cincinnati a large meeting of citizens resolved that there must be "total silence on the subject of slavery." In Philadelphia the meeting-house of the abolitionists was burned. In 1837 at Alton, Illinois, Elijah Lovejoy, the editor of an abolition paper, was brutally murdered and his murderers acquitted.

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Abolition-
ism
Unpopular

It turned out that the Lovejoy incident was a case where the "blood of the martyrs is the seed of the church," for the tragedy gave to the abolition cause an advocate of towering strength. At a meeting held in Boston in historic Faneuil Hall to protest against the Alton outrage the attorney-general of Massachusetts made a speech in which he attempted to gloss over the crime, comparing the riot with the destruction of the tea in Boston Harbor and saying that Lovejoy "died as the fool dieth." This speech was answered by Wendell Phillips, a tall, graceful youth, whose language was that of the educated patrician and whose voice was as clear and sweet as the notes of a flute. "When I heard the gentleman," said Phillips, "lay down principles which placed the rioters, incendiaries, and murderers of Alton side by side with Otis and Hancock, with Quincy and Adams, I thought those pictured lips [here he pointed to the portraits on the walls] would have broken into voice to rebuke the recreant American, the slanderer of the

Wendell
Phillips

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dead. Sir, for the sentiments he has uttered on soil consecrated by the prayers of Puritans and the blood of patriots the earth should have yawned and swallowed him up." The plea of the young man was freedom of speech and liberty of the press, and his triumph was complete. Henceforth Phillips, turning away from the honors which his class would gladly have bestowed upon him, espoused the cause of the slave. For nearly thirty years he was the tongue of the abolition movement as Garrison was its pen.

The Law-
lessness of
the Aboli-
tionists

While the abolitionists were the victims of much injustice at the hands of their fellow-citizens, many of their woes they brought upon themselves. Ultra-radicalism and devotion to their cause animated them with a spirit of lawlessness. They were for liberating the slave, law or no law, Constitution or no Constitution. They were so enamoured of freedom that they forgot their allegiance to government. Garrison flouted the Constitution and proclaimed it a covenant with death and an agreement with hell. They scolded incessantly; they scorned to hold public office; they refused to vote; they upbraided the churches; they indulged in foul abuse of public men; worse than all, they were avowed disunionists, for in order to get rid of slavery they were willing that the free and the slave States should part company. It could not be expected that such intolerance and wrongheadedness would escape without penalties.

Propaganda

The thing that did the most to excite the South against the abolitionists was their propaganda. They circulated books illustrated with pictures showing the horrors of slavery; they sent petitions to State legislatures and to Congress asking that slavery be abolished; they flooded the mails with abolition literature. All this filled the breast of the slaveholder with dismay, for he feared that the abolition literature might fall into the hands of slaves and lead to insurrection.

Nat
Turner's
Insurrection

This apprehension was not entirely unreasonable. A few months after "The Liberator" appeared came Nat Turner's insurrection. This slave in August, 1831, gathered together a band of twenty or thirty negroes, attacked the whites living near Cross Keys in Virginia, and killed fifty-four persons, men, women, and children. Forces were hurried to the scene of the uprising and the insurrection was quickly quelled. Turner was captured and executed. The abolitionists were charged with having incited the insurrection, and it was alleged that Turner had received a copy of "The Lib-

erator." There was nothing, however, to substantiate the charge. Turner could neither read nor write, and there was no evidence that he or any of his followers ever saw a copy of Garrison's paper.

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Nevertheless, the Turner uprising increased the bitterness of the South against the abolitionists, and it was not long before the slaveholders were making strenuous efforts to have all abolition literature excluded from the mails. A bill forbidding the transmission of incendiary matter in the mails was brought up in Congress. The question was a delicate one upon which to legislate; to destroy mail matter was to destroy private property without due process of law. Statesmen were not ready to go so far as this. The bill, though it had been reported, hung fire and at last failed of passage altogether.

The Abolitionists and the Mails

The cause of the abolitionists soon became identified with another cause which must always be one of transcendent importance in a democracy. This was the right of petition. The antislavery people early began to bombard Congress with petitions requesting it to exert its powers wherever it could against slavery. Such petitions were peculiarly offensive to the Southern leaders, who saw that petitioning was only another form of propaganda. Accordingly they undertook to suppress a right which is as old as organized society. In 1836 it was resolved by the House of Representatives that whereas the agitation of the subject of slavery was disquieting and objectionable, "all petitions, memorials, resolutions, or papers relating in any way or to any extent whatsoever to the subject of slavery or to the abolition of slavery shall, without being either printed or referred, be laid upon the table and that no further action whatever shall be had thereon." While the House was voting upon this resolution John Quincy Adams—now a member of Congress—at the moment his name was called rose and said: "I hold the resolution to be a direct violation of the Constitution of the United States, the rules of this House, and the rights of my constituents." Adams was outvoted, but he continued year by year his fight against the objectionable "gag" until at last, in 1840, it was rescinded. "Its imposition," says J. T. Morse, "was clearly a mistake on the part of the slaveholding party; free debates would almost surely have hurt them less than this interference with the freedom of petition. They had assumed an untenable position. Henceforth, as the persistent advocate of the right of petition, Mr. Adams had a support among the people at

The "Gag" Rule

large vastly greater than he could have enjoyed as the opponent of slavery. As his adversaries had shaped the issue he was predestined to victory in a free country." The "gag" afforded an excellent illustration of the futility and fatuity of repression. So long as the rule was in effect abolitionists kept up their bombardment with petitions. As soon as it was removed the bombardment flagged.

Although the abolitionists were the cause of much turbulence in political circles they were not themselves politicians. Indeed many of them believed that they could not consistently engage in politics. Garrison held: "The ballot box is not an antislavery, but a pro-slavery, argument so long as it is surrounded by the United States Constitution, which forbids all approach to it except on condition that the voter shall surrender fugitive slaves, suppress negro insurrections, sustain a piratical representation in Congress, and regard man-stealers as equally eligible with the truest friends of freedom and equality to any or all the offices under the United States Government."

Nevertheless, one of the results of the abolition propaganda was the organization of the Liberty party. In 1840 the Presidential candidate of this party, James G. Birney, received more than 7000 votes; in 1844 the vote for Birney, who was again the party's candidate, was more than 60,000. In the meantime the abolitionists went on urging their views upon the country, regardless of all parties, standing outside of political life and action altogether, and held together by no other bond than that of hostility to slavery. Whether they were wrong or right, there gathered about their fanaticism and violence a mass of sentiment and opinion which one day was to become the nucleus of an irresistible antislavery movement.

Suggested Readings

- Erie Canal: McMaster, Vol. V, pp. 132-136; Turner, pp. 32-36.
 The West, 1820-30: Turner, pp. 84-110; Bogart, pp. 189-197.
 Factory system in the United States: Coman, pp. 152-156.
 Educational development: Dexter, pp. 90-113.
 Early labor movement: Bogart, pp. 253-255; Commons, Vol. I, pp. 108-138.
 New England industries: Schouler, Vol. IV, pp. 413-416.
 Signs of awakening in the labor world: Commons, pp. 153-169.
 Trade-unions in Action: Commons, Vol. I, pp. 381-424.
 Geographical distribution of immigration: Semple, pp. 310-336.
 Early Knickerbockers: Trent, pp. 67-92.
 First labor movement, 1824-36: Simons, pp. 179-190.

XVI

“MANIFEST DESTINY”

THE onset of progress described in the last chapter resulted in such a rapid development of unsettled areas that by 1840 most of the best land east of the Mississippi had been taken up and pioneers were pushing out into the wild regions of the far Northwest and the far Southwest. Hunger for new land had become so keen that Americans were beginning to demand that the flag be carried clear across the continent and planted on the Pacific coast. To do this it would be necessary to acquire vast stretches of foreign territory. But to restless and ambitious spirits annexation was no obstacle. The optimism of the day inspired men to believe that it was the “manifest destiny” of America to extend her boundaries and that opposition to expansion was only a struggle against fate. Appealing to this sentiment of “manifest destiny” the land-seekers had their will; between 1840 and 1850 our flag was carried to the Pacific and more than a million square miles of territory were added to our national domain. In this chapter the chief aim will be to give an account of how this enormous acquisition was made.

TYLER AND THE WHIGS

Harrison was inaugurated on March 4, 1841, and he was immediately besieged by an army of politicians as hungry for office as those who had besieged Jackson twelve years before. The moment the Whigs came into power they accepted the spoils system as sound policy, although while out of office they had denounced it in terms of bitter eloquence. So insistent were the place-hunters that the new President could find no rest. They literally took possession of the White House, sleeping in its halls and corridors so that in the morning they might waylay the President betimes and be the first to press their claims. Harrison swung the party ax with vigor, but he was not to swing it long, for precisely one month after the date of his inauguration he died. Although he had

Harrison
Passes
Away

CHAP.
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For the
First Time
a Vice-
President
Becomes
President

Tyler and
Clay

nearly reached the allotted span of three score years and ten there is no doubt that his death was hastened by the tireless importunities of the office-seeking crowds.

John Tyler now succeeded to the Presidential chair. This was the first time in our history that a Vice-President was called upon to assume the duties of the President, and Tyler's task was surrounded with many difficulties. When he was put upon the ticket by the Whigs to get the Clay vote he was not thought of in connection with the leadership that goes with the Presidency. Many of the old leaders, therefore, were disposed to belittle his authority and to regard him as a sort of acting President. But Tyler promptly asserted himself and let it be known that he would claim that he was "by the Constitution, by election, and by the act of God President of the United States." His chief trouble was with the Whigs who had elected him and with their leader, Henry Clay. The Kentuckian was planning to be candidate in the next Presidential race, and the new President had ambitions in the same direction. Thus the "two flints clashed and struck fire, and the friendship of twenty years was gone." The occasion for the collision was a controversy over the rechartering of the National Bank which Jackson had destroyed. Tyler was in favor of a new charter, but, being a staunch States' rights man and a Southerner to the core, he wanted a decentralized bank. Accordingly his secretary of the treasury, by request of Congress, drew up a plan for a bank differing from the former institution in two respects: (1) its seat of incorporation was to be in the District of Columbia; and (2) its power to establish branch banks was to be dependent upon the consent of the States in which the branches were to be established. Clay, who wanted a bank modeled after the plan of the old one, caused the President's bill to be modified in respect to the power of establishing branches, and in its modified form it was passed, by a vote of twenty-six to twenty-three in the Senate and 128 to ninety-seven in the House. The actual difference between the bill which was passed and the one which was drafted under the direction of the President was slight. Nevertheless, when the bill came to Tyler for his signature, he vetoed it, his objection being that the powers given to the Bank were unwise and unconstitutional. An effort was made to pass the bill over the veto but a two thirds majority could not be mustered. Still the Whig leaders did not despair. Desirous of preventing a party quarrel, they

asked the President for the outline of a bill which he would sign. Such an outline was given and a second bank bill was prepared and passed in the hope and expectation that it would receive the approval of the President. But again the Whigs were disappointed; Tyler vetoed this bill also, and his veto could not be overcome.

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Tyler's second veto resulted in his political undoing. He was accused of breaking his word in regard to the second bank bill and he was branded as a traitor to his party. The Whig members of Congress joined in issuing to the people of the nation a "manifesto" proclaiming that all political alliance between them and John Tyler was at an end, and that those who had brought him into power would henceforth wash their hands of him. Every member of the cabinet—Tyler had retained Harrison's cabinet—resigned except Webster, and the President was compelled to surround himself with a body of advisers among whom there was no strong party cohesion. Deserted by the Whigs, Tyler turned to the Democrats for support, but his former associates, regarding him as a renegade, would not trust him. Tyler throughout his term remained in a state of painful isolation. Only a few members of Congress, known as the "corporal's guard," stood by him and recognized him as their leader.

Tyler
Breaks with
His Party

The breach with Tyler demoralized the Whigs. They had cherished hopes of doing great things for the country, but with the President and Congress at cross-purposes most of their well-meaning plans were brought to naught. The story, therefore, of the achievements of the Tyler administration is a short one. Of the laws passed only two were of real significance. One of these was the Preëmption Act of 1841. Preëmption acts had been enacted as early as 1830, but the law of 1841 gave permanence to the preëmption policy and encouraged the pioneer to push out into unoccupied lands and begin the actual work of settlement with the assurance that his land would not be sold away from him. The other important law was the Tariff Act of 1842. The gradual reduction of rates provided by the compromise tariff of 1833¹ had been faithfully carried out, and by 1842 the minimum horizontal rate of 20 per cent had been reached. But inasmuch as the Treasury was now in sore need of funds the low tariff continued in force only a few months. After a struggle with Tyler the advo-

The
Preëmption
Act: the
Tariff of
1842

¹ See p. 284.

cates of protection succeeded in carrying through a measure imposing increased rates upon salt, glass, iron, cotton, woolens, and silks.

In diplomatic matters Tyler's administration was not without its laurels. When the Whigs came into power our relations with Great Britain were unsatisfactory by reason of a long-standing dispute touching the boundary line between Maine and Canada. There were also subjects of irritation arising out of attempts of American citizens to assist rebellion in Canada. It was to settle these and other questions that Webster, the secretary of state, remained in Tyler's cabinet. The differences between the two countries were adjusted by the Webster-Ashburton Treaty concluded in 1842. The boundary dispute, which at times had been so bitter as to threaten hostilities between the people of Maine and those across the border, was settled by Webster and Ashburton in a spirit of friendship by making mutual concessions. A line running from the Atlantic Ocean to the Rocky Mountains marking the northern limits of the United States was agreed upon. The boundary then established has remained unchanged to the present time.

THE TEXAN QUESTION

While Webster was engaged in the negotiations with Great Britain, President Tyler was quietly taking steps for the annexation of Texas to the United States. The Texan question had been before the American people for many years. As early as 1800 Philip Nolan and a band of adventurers left Natchez and made their way westward through the wilderness to Texas. Here they employed their time in capturing wild ponies until they themselves were captured by Spanish officials, for Texas at the time belonged to Spain. The expedition of Nolan was the beginning of a movement that ended only with the complete occupation of Texas by Americans.

In the treaty made with Spain in 1819¹ assurance was given to the United States that grants of land in Texas to American citizens would be regarded as valid. Americans were not slow in taking advantage of this concession. In 1820 Moses Austin began the founding of a colony of Americans in Texas but died before his work was completed. His scheme, however, was carried forward

¹ See p. 248.

by his son, Stephen, who secured an enormous tract of land between Nacogdoches and San Antonio and established a colony of three hundred families. Other colonists followed Austin, and as early as 1828 the population of Texas consisted of 12,000 Americans and only 3000 Mexicans.

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By this time Texas was no longer under the dominion of Spain, for the Spanish yoke had been thrown off in 1821 when Mexico revolted and became an independent nation. The new republic was federal in its organization, with Texas as one of its States. But as Texas was now chiefly an American community it did not enjoy its connection with Mexico. Friction between it and the Mexican Government soon arose, and by 1836 the Texans were at war with Mexico, fighting for absolute independence. In this struggle they were aided by Americans. General Sam Houston, an American, led an army of Texas adherents against the Mexican leader Santa Anna, defeating him at San Jacinto in April, 1836. With this victory the independence of Texas was achieved; it was organized as a separate republic and in 1837 its independence was recognized by the United States. France gave recognition in 1839, Holland and Belgium in 1840. Great Britain withheld recognition until 1842.

Texas an
Independent
Nation

It was neither the purpose nor the desire of Texas to remain an independent nation. In the very year in which she began her career in self-government her people by an overwhelming vote expressed a wish to be annexed to the United States. There were strong reasons for this choice, for Texas was now American through and through. Not only did her population consist largely of native American stock but a majority of her inhabitants were actually American citizens. Of the sixty signers of the Texas declaration of independence fifty-three were citizens of the United States. And there were strong reasons why Americans should welcome the overtures of the Texans. Annexation would add to the United States a region larger than France. Then, too, annexation fitted in well with a wise foreign policy. Foreign nations were seeking to establish with Texas commercial relations that would work to the disadvantage of the United States. England especially was endeavoring to establish her influence in Texas, and if proffers of annexation should be refused by the Americans there was danger that the new republic would throw itself into the outstretched arms of the British.

The Ques-
tion of
Annexation

CHAP.
XVIOpposition
to Annexa-
tion

But annexation to the United States was bound to meet with opposition from Northern sources. Texas was a community of slaveholders, and to annex it would enormously extend the area of slavery and thus rob the North of the advantage it held under the Missouri Compromise. The question of annexation was at once brought before Jackson, but he would take no action. The Mexican Government had warned the United States that annexation meant war; and as Jackson was not ready for that, the question was temporarily postponed. When it came before Van Buren he declined to consider it, deeming it unwise to agitate the subject at that time. Like Jackson, he felt that the proposition of annexation involved the question of a war with Mexico.

A Treaty
Which
Failed

Under the Tyler administration the Texan question was pushed to the front to the exclusion of everything else relating to foreign affairs. Tyler yearned for Texas, and a few months after his inauguration he consulted with Webster about securing the neighboring republic by treaty. Webster would have nothing to do with the matter; but Tyler went ahead nevertheless with his plans, conducting negotiations in an extremely secret manner, and by April, 1844, he was able to lay before the Senate a treaty signed by the Texas authorities incorporating the republic into the American Union. When submitting the treaty Tyler said: "Texas by a solemn vote of her people embracing all her population but ninety-three persons, declared her anxious desire to be admitted into association with the United States. Now by the action of her constituted authorities, sustained as it is by popular sentiment, she reaffirms her desire for annexation. This course has been adopted by her without the employment of any sinister measures on the part of this Government. No intrigue has been set on foot to accomplish it. Texas herself wills it." But Texas and Tyler had to wait. If the President had had a party behind him the treaty would doubtless have been promptly ratified. But with the solid opposition of the Whigs and only the partial support of the Democrats his treaty failed decisively; thirty-five votes were cast against it and only sixteen for it.

The Nomi-
nations and
Issues in
1844

Although the treaty was rejected, Tyler had carried the annexation question far enough to make it the leading issue in the campaign of 1844. And a veritable firebrand it proved to be. Many of the leading politicians would gladly have dodged the issue. The Whigs did dodge it. They unanimously nominated Henry Clay

for President, and declared for a protective tariff, but in regard to the Texas question their platform was silent. The Democrats, however, met the question squarely. In their platform they declared: "That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or to any other power and that the occupation of Oregon and the reannexation of Texas at the earliest practicable period are great American measures which this convention recommends to the cordial support of the Democracy of the Union." They used the word "reannexation," because it was their contention that Texas was a part of the Louisiana Purchase, and that it had been "disannexed" by the treaty of 1819. The Democrats went into convention with Van Buren as their leading candidate. The ex-President had a majority of the delegates pledged to him but the convention by adopting the two thirds rule made his nomination impossible. Tyler came forward as a candidate, but his "corporal's guard" of office-holders could do little for him and he withdrew from the race. The choice fell upon James K. Polk of Tennessee. Polk was not well known and because of his obscurity he was called the "dark horse." But he was a shrewd politician and he knew "how to pull and sweat in the party traces."

The campaign of 1844 was one of great seriousness, and the battle was hotly contested. "Manifest destiny" was on the side of the Democrats, for they appealed to the spirit of expansion. They demanded both Oregon and Texas and thus pleased all sections of the country. The people of the North wanted Oregon and those of the South wanted Texas. The Whigs relied largely upon the personality of their candidate to bring them success; as well they might, for Clay was undoubtedly the most popular man in the United States. But Clay blew hot and cold on the Texas question. He explained his position on the subject of annexation, but the only effect of his explanation was to make it clear that he was trying to please both sides. This equivocation was so irritating to the abolitionists that they refused to vote for him. Indeed, they went further and drew votes away from him by again nominating Birney as the candidate of the Liberty party. The result of the election was a victory for the Democrats, but it was a close contest.

The election could fairly be interpreted as an approval of the policy of annexation. This was Tyler's view and he hastened to

the consummation of his long-cherished scheme. In his message to Congress in December, 1844, he urged that Texas be admitted to the Union by the method of a joint resolution of both houses. Congress took up the matter at once and in February, 1845, passed a joint resolution providing that the territory "rightfully belonging to the Republic of Texas" might be erected into a new State to be called the State of Texas and that after a government republican in form had been established by the people of Texas it might be admitted as one of the States of the Union. The resolution further provided that additional States not exceeding four in number might be formed from the territory of Texas with its consent. Still another provision was that States carved out of Texas south of the Missouri Compromise line should be allowed to enter the Union with or without slavery as the people of each might desire; while in those north of the line slavery was to be prohibited. Since the Texans were eager to enter the Union, the annexation project was hurried along. On March 3 Tyler signed the resolution; in October the people of Texas ratified a State constitution; and in December, 1845, Texas was admitted as a State. In the constitution adopted by the "Lone Star" State slavery was recognized and protected.

In the struggle for annexation the slavery issue played a prominent part, but the success of the movement was not due wholly to the activity of slaveholders. "That the slaveholding interest alone," says G. P. Garrison, "could not have accomplished annexation goes without saying. The States it controlled did not have votes enough for that in either house of Congress. The result can hardly be interpreted otherwise than as a triumph of the impulse toward expansion which has so often manifested itself in our history and against which the brave energy of John Quincy Adams and the matchless eloquence of Clay and Webster were arrayed in vain. Had there been no slavery in Texas the triumph would have been achieved with less than half the struggle. Had there been none in either country there would have been no struggle at all."

THE OREGON QUESTION

While land hunger and "manifest destiny" were carrying us into the Southwest they were at the same time luring us out into the far Northwest. No sooner was Polk inaugurated in March,

1845, than he entered upon the policy of expansion which had been the keynote of his campaign. In the execution of his plans he was swift, bold, and decisive. "No former President, perhaps, at the outset of his administration ever had so clear and positive a perception of what he meant to do, and none ever despatched his ambitious program more thoroughly." He first addressed himself to the Oregon question. We have seen¹ that in 1818 the American and British governments entered into an agreement for the joint occupation of the Oregon country, the region lying between the Pacific Ocean and the Rocky Mountains and between the parallels of 42° and 54° 40' north latitude. In 1828 the joint occupation agreement was indefinitely continued, with the understanding that the arrangement might be terminated by either party at any time upon twelve months' notice. But joint occupancy could be practicable only so long as the occupants consisted of a few trappers and fur traders scattered in different sections of the vast region. As soon as the settlers should become numerous it would be necessary to establish a single sovereignty. This was becoming evident long before Polk was called upon to deal with the question. As early as 1835 small bodies of American pioneers were moving into Oregon, and by Polk's time the stream of emigration had grown to be strong and steady. An eye-witness at Independence, Kansas, describing the trains of pioneers as they passed along in the spring of 1845 on their way to Oregon, writes as follows:

We see a long train of wagons coming through our streets. As they go they are hailed with joyous shouts of welcome by their fellow-travellers. Looking out at the passing train we see, among the foremost, a comfortable covered wagon with one of its sheets so drawn aside as to reveal a quiet-looking woman seated inside, and sewing. Then comes team after team, each drawn by six or eight stout oxen driven by stout sons of Anak, not one of them under six-feet-two in his stockings. We are in a perfect Oregon fever. Then comes stock of every description—negroes, horses, mules, cows, oxen, and there seems to be no end of them. Not less than two or three thousand people are gathered at this point, ready to set off over the broad prairie about May tenth. A train of two hundred wagons left our town on Tuesday and Wednesday last, bound for Oregon. Yesterday twenty-eight passed this town. They came from about Fort Madison, Iowa. Two hundred more have crossed the Missouri at St. Joseph and fifty are said to be

On the
Way to
Oregon

¹ See p. 230.

crossing at the Lower Ferry. May fourth, the advance guard set off from Independence in four companies. Men and boys numbered four hundred and two; women and girls, three hundred and thirty-four; the wagons one hundred and sixty-five, and the horses, mules, oxen, and cattle over three thousand. One who met the great body of emigrants after they had set out on their long journey declares that the trail from fifteen miles beyond the Big Blue to the State line was crowded with emigrants, and that he passed five hundred wagons and the usual proportion of men, women, children, and cattle.

Accordingly, when Polk took up the Oregon question the problem was already virtually solved; the country was already in the possession of Americans. Still, there were important diplomatic questions to be settled. In the first place, the joint occupancy would have to be terminated. This was done in a straightforward and expeditious manner. In his first annual message in December, 1845, Polk recommended that Great Britain be notified that the agreement of joint occupancy was no longer in force and that the jurisdiction of the United States Government be extended over the citizens of the United States in Oregon. Congress acceded; in May, 1846, Great Britain was notified and the Federal Government assumed full authority in the Oregon country.

What were to be the boundaries of Oregon? This question gave rise to sharp passages in diplomacy and at times even threatened the peace of the two nations. The British Government claimed that the Columbia River was the southern boundary of British territory in Oregon. The American Government contended that British claims could not be allowed any further south than $54^{\circ} 40'$. The region, therefore, between the Columbia River and the parallel of $54^{\circ} 40'$ was in dispute. In the campaign of 1844 the slogan had been "fifty-four forty or fight," and in his message Polk expressed the opinion that the claim of the United States to the whole of Oregon as far north as $54^{\circ} 40'$ was good and should be upheld. But the President was not ready to press this claim so hard as to challenge Great Britain to a trial of strength. For, as we shall presently see, events at this time were rapidly tending toward hostilities with Mexico, and it would have been sheer madness to open a quarrel with Great Britain and drive her into an alliance with our prospective enemy. Such a course would doubtless have ended in our losing the whole of Oregon. In truth we were not

prepared to fight both Mexico and Great Britain, and our statesmen did not intend to go to war over the Oregon boundary. The cry of "fifty-four forty or fight" was for political effect only. Even while it was ringing on the stump our diplomacy was looking to a settlement of the controversy by compromise. In July, 1846, a compromise was reached: it was agreed that the dividing line between American and British territory in Oregon should be the forty-ninth parallel from the Rocky Mountains to the middle of the channel which separates Vancouver Island from the mainland, and thence should run southerly along the middle of that channel and the Strait of Fuca to the Pacific. Thus the long mooted Oregon question was settled without a war, and in a manner honorable to both nations.

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THE ACQUISITION OF CALIFORNIA AND NEW MEXICO

The annexation of Oregon was only one item in Polk's program of expansion, and by no means the most important item; for he desired to extend our boundaries so as to include the Mexican province of California. Soon after taking the oath of office he said to a member of his cabinet: "There are four great measures which are to be the measures of my administration: one, a reduction of the tariff;¹ another, the independent treasury;² third, the settlement of the Oregon question; and lastly, the acquisition of California." Polk, being an ardent lover of peace, hoped that he might be able to secure California by the mild methods of diplomacy. The situation encouraged him to believe that the acquisition could be peacefully made. There were claims held by American citizens against the Mexican Government amounting to several million dollars. Since these claims were long overdue and there was no money in the Mexican treasury with which they could be

Polk's
Program

¹ This reduction was made in 1846 by an act usually known as the Walker Tariff. This tariff lowered the duties on many commodities and fixed the rates with little regard to the principles of protection. While it was not a free trade measure pure and simple it nevertheless squinted strongly in that direction. It remained in force until 1857 and was popular in the South and West. In the Middle States and New England it met with much opposition.

² The law establishing the Independent Treasury (see p. 292) had been repealed in the early days of Tyler's administration. In accordance with Polk's program the Independent Treasury was reestablished in 1846, and the measure for which Van Buren had struggled so long and for which he had sacrificed his political future became an accepted feature of our financial policy. It remained in force until 1919, when the Independent Treasury was abolished.

paid, why could they not be paid for in land? Polk was all too willing to make such a settlement: cede him California, he said, and he would assume the claims and give a good round sum in addition. The question of the Texas boundaries was also pending. In the joint resolution annexing Texas it was provided that the boundaries between Mexico and Texas should be adjusted by the Government of the United States. In the negotiations for the adjustment of these boundaries why could it not be arranged that they be extended so as to reach the Pacific? Here again Polk was eager to give money for land. In his diary when touching upon the subject of a Mexican mission he wrote: "One great object of the Mission, as stated by the President, would be to adjust a permanent boundary between Mexico and the United States and that in doing this the Minister would be instructed to purchase for a pecuniary consideration Upper California and New Mexico."

Polk could allege that something else than land hunger urged him on to the acquisition of California. He feared that if the United States failed to take the province some foreign power might seize it. California, being inhabited at the time by only a handful of Mexicans, was unable to defend itself. Nor could it be defended by the weak and inefficient central government of Mexico. It would, therefore, be the easy prey of any nation that might come against it with the designs of conquest. Polk suspected that Great Britain harbored such designs, basing his suspicions partly on rumor and partly upon the fact that the British on the Pacific coast were acting in a mysterious manner. He was doubtless wrong in believing that Great Britain had any plans for spreading her power over California, yet the attitude of Great Britain had to be reckoned with. The interests of Great Britain were opposed to the expansion of the great American republic, and it was her policy to keep California out of the hands of the Americans by any means short of actual warfare. She was not going to allow this great prize to fall into the lap of the United States as Texas had fallen if she could prevent it by diplomacy. But Polk believed that England meant to go beyond diplomacy and take possession of the province by force, if force should be necessary. Against this he turned a face as hard as flint. "No future European colony," he said in a message in December, 1845, "shall with our consent be planted or established on any part of the North American continent." This vigorous declaration had the effect upon England the President

intended it should have; "silently she retreated before the thunders of the Monroe Doctrine."

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Polk, always a most energetic executive, hurried on with his plans. With the consent of his cabinet he secretly appointed John Slidell as minister to Mexico, and despatched him in November, 1845, to the Mexican capital. The first task imposed upon Slidell was to renew the diplomatic relations which had been abruptly severed by Mexico immediately after the annexation of Texas. After securing formal recognition as a representative of the American Government he was to take up with the Mexican authorities the subjects of the claims and the boundaries. He was to insist upon the Rio Grande as the boundary between Texas and Mexico. If he could gain the consent of Mexico to fix the boundary from the mouth of the Rio Grande up to the middle of the principal stream to the point where it touches the line of New Mexico, thence west and north to the forty-second parallel, so as to include the whole within the United States, then this country would assume the payment of her citizens' claims against Mexico and would pay five millions in addition. Next the question of California was to be taken up. "If you can obtain a cession of the province," ran his instructions, "you will render immense service to your country and establish an enviable reputation for yourself. Money would be no object when compared with the value of the acquisition." For such a cession he was authorized to offer \$25,000,000, in addition to the assumption of the claims.

Slidell is
Sent to
Mexico

No sooner had Slidell reached the Mexican capital than broadsides appeared in various sections of the city telling of his plans for negotiating with the Government for the sale of New Mexico and California. This revelation of Slidell's purposes had a most damaging effect. Mexico at the moment was in a state of political upheaval, and when the news spread that the authorities were on the point of agreeing to a plan for the dismemberment of the republic there were charges of treason and clamors for war. The opposition to Slidell's reception as minister was too strong to be withstood. The existing Government refused to receive him and the revolutionary Government that was presently set up persisted in the refusal. Slidell's mission therefore ended in failure. "The action of two successive Mexican administrations in refusing to receive our American minister ended all further discussion," says George Lockhart Rives. "Their decision had plainly been dictated

Slidell's
Mission
Ends in
Failure

by the exigencies of domestic politics. The opinions of the governing class had been too deeply declared to make it possible for any government to enter at that time upon negotiations with the United States; and although the men who were actually intrusted with the responsibility of carrying on the affairs of the republic must have had some perception of the irresistible result of a conflict, they could not have remained in office for a single day if they had openly defied the public clamors for war."

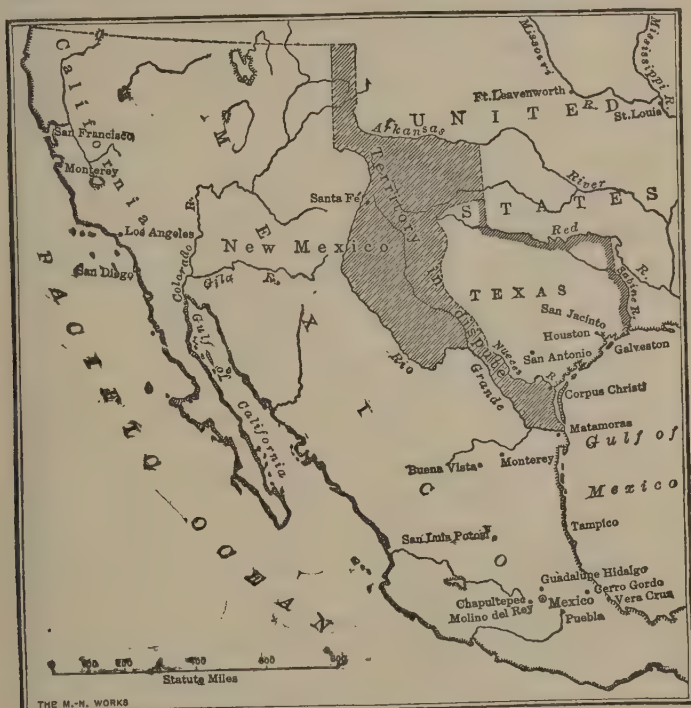
"War Exists
by the Act
of Mexico
Herself"

Polk was in no way deflected from his purpose by the bold attitude of the Mexicans. If they wanted war they might have it. He wanted peace but he also wanted California. Suspecting that there might be an outbreak of hostilities he ordered General Zachary Taylor to occupy Texas directly after it was annexed. A little later Taylor was sent across the Nueces into disputed territory, his troops advancing as far as the Rio Grande. In April, 1846, Polk heard of Slidell's ill success. And now the President could assume the rôle of the wolf in the fable and proclaim to the American people how the lamb had polluted the waters. On May 9 he decided to ask Congress to declare war against Mexico on the ground that Slidell had been refused a hearing. On May 10 came a message that Mexicans had crossed the Rio Grande, that there had been a battle, and that a number of American soldiers had been killed. This news must have been soothing to Polk's conscience, for it gave him a better excuse for declaring war. He could now say to Congress, as he did say on May 13, that Mexico had passed the boundary of the United States [it was a disputed boundary]; that our territory had been invaded by Mexican troops [there was no valid reason for calling it an invasion]; and that American blood had been shed on American soil [it was disputed soil]. In vindication of our rights, and in defense of our territory, the President invoked the prompt action of Congress to recognize the existence of war. "War exists," he said, "and notwithstanding all our efforts to avoid it, exists by the act of Mexico herself."

Volunteers
Called For

Congress, accepting the assertion that Mexico had begun the war, made a formal declaration of hostilities and authorized the President to raise an army of 50,000 men. Polk asked for volunteers, because, in his opinion, "a volunteer force is beyond question more efficient than any other description of citizen soldiers." The response to the call for volunteers indicated plainly that Polk's

policy of expansion had its strongest support in the West. "The West," says W. E. Dodd, "was in earnest and the declaration of war which the President managed to get Mexico to provoke was to all the great valley of the Mississippi a call to arms of the most urgent character. . . . Of the total number of volunteers, 69,540, at least 40,000 were from the strictly Western States . . . while



Map of the war with Mexico

from all the Northern States, with a population twice as great and wealth many times greater, only 7930 volunteers offered. Plainly the interest in the Mexican war was in the West and South and more in the former than in the latter."

Polk started out "to conquer peace." He desired a short war and one in which there would be little shedding of blood. But it was neither a short war that he had to fight nor a little one. General Taylor who was on the scene with an army of regulars

"Conquer-
ing a
Peace"

had already met the Mexicans in a battle at Palo Alto and Resaca de la Palma and had defeated them even before war had been formally declared. In September, 1846, Taylor, after a hard-fought battle, captured the strongly fortified city of Monterey. In February, 1847, his army was attacked by Santa Anna at Buena Vista, but the Americans stubbornly held their ground. After the battle at Buena Vista the scene of the war shifted to Vera Cruz, where Winfield Scott, the commanding general of the American forces, landed in March with an army of 12,000 men. After taking Vera Cruz on March 29, Scott began a march to the City of Mexico. By August 10 the Americans had fought their way through the mountain passes of Cerro Gordo and had come to Pueblo. Here the Mexicans were offered liberal terms of peace. But the Mexicans are a brave people and their national spirit is strong. They rejected the olive-branch and rallied their forces for the further defense of their country. But it was of no use: Scott won victory after victory. On September 8 he took Molino del Rey; on September 13 the strong fortress of Chapultepec fell; and on September 14 the American army triumphantly entered the City of Mexico and raised the American flag. After the surrender of the capital city there was no further resistance by the Mexicans at any place; Polk had "conquered a peace."

California
Seized by
Americans

While he was "conquering the peace" he was at the same time conquering California. He had planned that in the event of hostilities he would seize the province by force. At the first crack of the gun, therefore, he hurried troops across the continent and the great prize was taken almost before the war had actually begun. As early as June, 1846, Colonel Stephen Kearny left Fort Leavenworth and marched to Santa Fé. After capturing that town and taking possession of all New Mexico, he marched on to California. Upon arriving there, however, he found that American settlers had already declared California to be an independent republic and that the province had been won for America by Lieutenant John C. Frémont who was in command of a small body of soldiers, and by Commodore Stockton who was hovering off the Pacific coast with a fleet. The conquest had been made without a struggle. "We simply marched," said one of Frémont's soldiers, "all over California from Sonoma to San Diego, and raised the American flag without opposition or protest. We tried to find an *enemy*, but we could not."

Although Polk swept everything before him in the field, on the forum he encountered opposition enough. In Congress and outside Whig leaders denounced the war with such vehemence that the President was led to accuse them substantially of encouraging the enemy and giving him aid and comfort. The anti-war people, however, were not to be deterred by charges of disloyalty and treason. In the House of Representatives, Thomas Corwin of Ohio, arraigning the policy of conquest, and retorting to Cass, who had remarked that we needed more room, flung prudence to the winds and said: "If I were a Mexican I would tell you, 'Have you not room in your own country to bury your dead men? If you come into mine, we will greet you with bloody hands and welcome you to hospitable graves.''" A resolution was carried through the House declaring that the "war had been unnecessarily and unconstitutionally begun by the President of the United States." In Boston Charles Sumner in November, 1846, demanded the retreat of General Taylor and the instant withdrawal of the American forces. "Hang out, fellow citizens," he said, "the white banner of peace; and may it be borne forward by an enlightened, conscientious people, aroused to condemnation of this murderous war." In Lexington, Kentucky, Clay made a speech which was epitomized in a series of resolutions unanimously adopted by his hearers: It was resolved that the Mexican War had been brought on by deceit and unrighteousness; that Congress ought by some authentic act to declare the objects of the war and control the President in his prosecution of it; that the United States should require no dismemberment of Mexico, but only a just and proper fixation of the limits of Texas; and that we should disclaim all "wish or desire on our part to acquire any foreign territory whatever for the purpose of propagating slavery, or of introducing slaves from the United States." But in vain did the Whigs cry out. In vain did they throw themselves against Polk's policy of expansion. The current of "manifest destiny" was running against them.

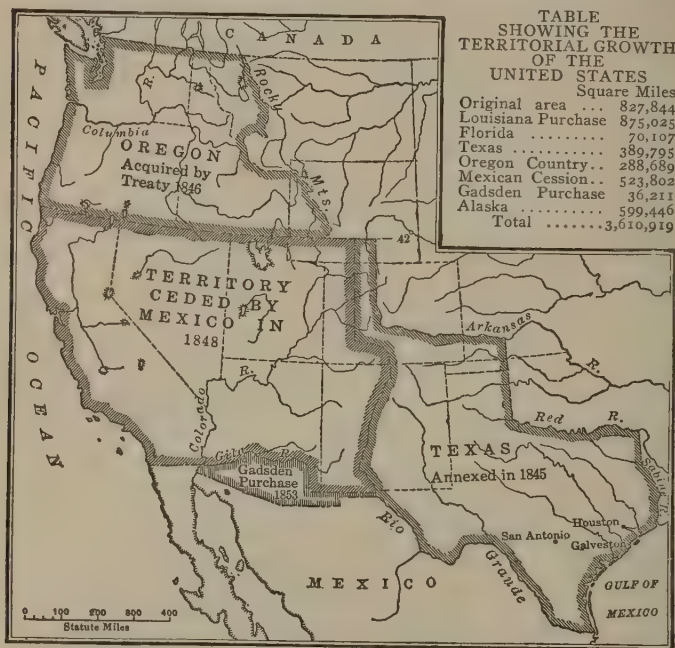
With the occupation of Mexico City in September, 1847, the whole of Mexico lay at the feet of the American victors. What was to be done with the conquered republic? A few anti-imperialists, Webster being one of them, were for withdrawing the troops, leaving Mexico in the full possession of all her territory. Diametrically opposed to the anti-imperialists were the ultra-expansionists who desired every foot of Mexican soil and the extinction

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The War
Denounced
While It
Was in
Progress

What Shall
Be Done
with the
Conquered
Republic?

of the Mexican nation. Said Polk in his diary: "Extremes meet. Mr. Webster is for *no territory*, and Mr. Hannegan [a Senator from Indiana] is for *all Mexico!*" The sentiment for *all* was strong. Calhoun said in the Senate: "There was at that time [at the close of the year 1847] a party scattered all over every portion of the country in favor of conquering the whole of Mexico. To prove that such was the case it is only necessary to refer to the



The Westward Extension

proceedings of numerous large public meetings, to declarations repeatedly made in the public journals, and to opinions expressed by the officers of the army and individuals of standing and influence, to say nothing of declarations made here and in the other House of Congress."

Neither the anti-imperialists nor the ultra-expansionists had their way. A middle course was followed. Polk declared that he had never contemplated a "permanent conquest of the Republic of Mexico" nor the extinction of its nationality. He was satisfied

with the territory north of the Rio Grande. He therefore accepted the treaty negotiated at Guadalupe Hidalgo on February 2, 1848. By the terms of this treaty New Mexico, California, and the disputed portion of the Texas territory—the part between the Nueces and Rio Grande rivers—were ceded to the United States. For the territory thus ceded the United States was to assume the payment of the claims of its citizens on the Mexican Government and to pay in addition thereto the sum of \$15,000,000.

Thus during the administrations of Tyler and Polk we extended our boundaries to the Pacific and added more than a million square miles to our territory. "New Mexico and Upper California," said Polk by way of assessing the value of the new acquisitions, "now constitute a part of our country. It would be difficult to estimate the value of these possessions to the United States. They constitute of themselves a country large enough for an empire, and their acquisition is second in importance to that of Louisiana in 1803. Rich in mineral and agricultural resources, with a climate of great salubrity, they embrace the most important ports in the whole Pacific States. The excellent harbors of Upper California will under our flag afford security and repair to our commercial marine. . . . In this vast region, whose rich resources are soon to be developed by American energy and enterprise, great must be the augmentation of our commerce, and with it new and profitable demands for mechanic labor in all its branches and new and valuable markets for our manufactures and agricultural products. In the hands of Mexico the territories now ceded had remained, and it is believed would have continued to remain, almost unoccupied and of little value to her or to any other nation, whilst as a part of our Union they will be productive of vast benefits to the United States, to the commercial world, and to the general interests of mankind."

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Polk's
Assessment
of His
Achievements

Suggested Readings

- The first "dark horse": Stanwood, Vol. I, pp. 206-225.
 Annexation of Texas: Garrison, pp. 85-141.
 Conquering a peace: Hitchcock, pp. 189-197, 208-230.
 Acquisition of California: Garrison, pp. 234-238.
 The Tariff, 1830-60: Taussig, pp. 109-154.
 The free-soil campaign of 1848: Stanwood, Vol. I, pp. 226-243.
 United States as a Pacific Ocean power: Semple, pp. 420-435.

XVII

“THE ROARING FORTIES”

AN account has just been given of the diplomatic and military events that led during the administrations of Tyler and Polk to the extension of our borders to the Rio Grande and the Pacific. In this red-letter decade—“the roaring forties” it has been called—there was amazing, almost feverish progress in all the departments of American life. Industry and commerce flourished, invention came forward to stimulate human effort, and the wave of civilization rolled westward with unusual strength and swiftness.

GREAT INVENTIONS

The Plow

Foremost among the factors of America's progress in the forties was the inventive genius of the period, and foremost among the great inventions were those that were making the conquest of the soil an easier task. For at this time improvements in the implements of tillage came thick and fast. The plow was becoming an instrument that could do its work rapidly and well. The importance of the plow in the development of the country was appreciated by Thomas Jefferson, who at an early date had turned his attention to mold-boards and by 1793 had invented one that was constructed on mathematical principles and that could move through the ground and turn the sod with little resistance. About the time Jefferson was experimenting with mold-boards, Charles Newbold, a farmer of Burlington, New Jersey, was working on an iron plow that was to take the place of the old patchwork affair of wood and iron. By 1796 Newbold had invented a plow made wholly of iron, the point, share, and mold-board all being cast in one piece. But he could not sell his iron plows; farmers were afraid that iron would poison the crops and cause weeds to grow. Nevertheless, the iron plow was to have its day. Jethro Wood of Scipio, New York, began as early as 1814 to take out patents for improved plows, and by 1825 he had constructed an iron plow, the

several parts of which—the point, the share, and mold-board—were so fastened together that when one piece wore out or was broken, it could readily be replaced by another. Wood's plow was what the farmer needed, and by 1840 it was coming into general use. Its inventor met with opposition and injustice, and lost a competency in fighting infringements upon his patent. "Although Wood," said a United States commissioner of agriculture, "was one of the greatest benefactors to mankind, he never received for all his thought, anxiety, and expense, a sum of money sufficient to defray the expenses of a decent burial." Yet every year added to the debt America owed to this inventor. "No citizen of the United States," said William H. Seward, "has ever conferred greater economical benefits on his country than Jethro Wood."

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Improved plows made it possible for farmers to raise fields of grain vastly larger than had ever been raised before. But it was of no use to raise more grain than could be cut within the brief period of harvest time. If the broad prairies were to be plowed and planted on a large scale there would have to be a reaping machine that would cut the grain much faster than human hands could cut it with the old-fashioned scythe or sickle. Invention was prompt in providing such a machine. As early as 1800 inventors in Europe and America had begun to tax their wits to give the farmer the kind of reaper he needed, and after many years of experiment an American succeeded in making the first machine that would actually cut grain. In the summer of 1831 Cyrus McCormick, a young blacksmith living in the rich grain-growing valley of the Shenandoah in Virginia, made a trial of a reaper which he and his father had invented, and the trial was successful. With two horses he cut six acres of oats in an afternoon. "Such a thing," says H. N. Casson, the biographer of McCormick, "at the time was incredible. It was equal to the work of six laborers with scythes or twenty-four peasants with sickles. It was as marvellous as though a man had walked down the street carrying a dray horse on his back." McCormick took out his first patent in 1834, and, making improvements from time to time, by 1840 he had a reaper that would do excellent work. In 1844 he took a trip through the West, passing through Ohio, Michigan, and Illinois. As he passed through Illinois he realized how badly the reaper was needed. He saw great fields of ripe wheat thrown open to be devoured by hogs and cattle because there were not enough laborers to harvest the

The Reaper

crops. The farmers had worked day and night and their wives and children had helped, but they could not harvest the grain; they had raised more than the scythe and sickle could possibly cut. McCormick's visit showed him that the West was the natural home for his reaper. In 1847 he moved to Chicago, built a factory, and began to make reapers. In less than a year he had orders for 500 machines, and before ten years had passed 25,000 were in use.

But the grain had to be separated from the straw. Here, too, invention came to the aid of the farmer. Along with the reaper appeared the threshing-machine, which by 1840 was coming into general use, replacing the flail and the tramping-out process. At first the threshing-machine only threshed out the grain, leaving grain, chaff, and straw mixed together, but by 1850 improvements had been made so that clean grain could be separated from the chaff and straw.

The appearance of these machines was the greatest event in the history of agriculture. Thousands of reapers were sent abroad with the result that the food supply of the whole world was increased. The United States became the paradise of the farmer and his barns were soon bursting with grain. In 1847 a high official of the Government could proudly say:

In surveying the agricultural productions of the Union we are struck not only with their abundance, but with their great variety and value. . . . In the North we have rich and abundant pasturage, giving forth the valuable products of the flock and dairy; in the middle and western regions of the Union, corn in all its varieties is produced in superabundant quantities; and in the South, rice, cotton, and sugar grow luxuriantly; and nearly all in sufficient quantities to supply our domestic consumption, and furnish large surpluses for exportation, thus furnishing nearly all the value as well as bulk of our foreign commerce. When contemplating the extent and the value of its products, the number of persons engaged, and the capital employed, the agriculturist may well believe that agriculture is the great transcendent interest of the Union upon which all other interests are dependent. And he has equal interest to console himself with the honorable character and exalted dignity of the pursuit in which he is engaged. Genius stoops from its lofty flight to lessen the burthen of his toil and mitigate the severity of his labors by conferring upon him useful implements and valuable machines.

It was not only the farmer who profited by invention at this time. Industry in all its departments was receiving the benefits of Yankee wit. Never before had so many patents been issued as at this period. In 1836 it became necessary to organize the patent-office, and presently the new bureau had all it could do and more. Indeed, such was the rush of business that the commissioner of patents was soon constrained to cry out for assistance, saying that the work of his office was so heavy that it could not be done as it ought to be and that it had accumulated so as to cause serious embarrassment. During the forties nearly 6000 patents were issued, and at the end of the decade the number annually taken out was steadily mounting.

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Patents

Among the great inventions of the period was a machine that could sew. The demand for a sewing-machine was pressing, for the wonderful weaving-machines in the great factories were turning out more cloth than could be sewed into garments by the old-time needle, no matter how swiftly seamstresses plied their fingers or how long were the hours they spent at their task. The inventor of the sewing-machine was Elias Howe of Massachusetts. In 1845 Howe completed a machine that could sew at the rate of two hundred and fifty stitches a minute, about seven times as fast as sewing could be done by the hand. Howe in 1846 secured a patent in the United States and then went to London, where he sold his English rights. But he made a bad bargain and soon found himself a penniless stranger in a foreign land. Once when he was almost starving he borrowed a few pennies from a friend and bought some beans which he cooked and ate in his room. In 1849 he returned to America as a steerage passenger, landing in New York with only a half-crown in his pocket. For more than five years he had given his whole life to his invention, and his reward was a small silver coin! But now the tide turned. Finding that sewing-machines in considerable numbers were being sold in Boston and elsewhere he brought suit for infringement and the courts decided in his favor. After this he reaped a golden harvest. Sewing-machines were manufactured by the hundreds of thousands, and upon every machine sold the inventor received a handsome royalty. In one year Howe's income was \$200,000, and altogether the profits from his sewing-machine amounted to more than \$2,000,000.

The Sewing
machine

The prolific forties also gave to the world the telegraph, an invention which in shaping the destinies of mankind ranks with the printing-press and the steam-engine. The transmission of messages by electricity had been undertaken by Englishmen with partial success, but the honor of inventing the first practical and useful system of electrical telegraphy was won by an American, S. F. B. Morse, an artist and professor of literature in New York. Morse worked many years with his batteries and wires; but he was a poor man and lacked the means of conducting experiments on a proper scale. At last, however, he was fortunate enough to make the acquaintance and gain the confidence of Alfred Vail, who furnished money for experiments and assisted the inventor in perfecting his system. Some of the most original and valuable features of the system were invented by Vail and not by Morse. In the face of repeated failures and much bad luck the two men worked patiently together, and by 1843 their invention was completed. Morse applied to Congress to aid him in the installation of his system, with the result that in 1843 he secured an appropriation of \$30,000 for establishing a telegraph line between Baltimore and Washington. Morse and Vail now hurried the work forward and by 1844 wires had been stretched between the two cities and the instruments were ready for trial. The apparatus was extremely clumsy and awkward, but it did its work well. On May 24, 1844, Morse sent from Washington the historic message, "What hath God wrought?" and in the twinkling of an eye it was received by Vail at Baltimore, forty miles away. A few days later reports of the Democratic national convention in session at Baltimore were promptly wired to Washington where the telegraph office was thronged with members of Congress eager for the news. As soon as it was known that Polk was the choice of the convention a despatch was sent to Washington, and a congratulatory reply was received from the Democratic members of Congress twenty minutes after the nomination. Thus all doubt as to the practical value of the new system of communication was speedily removed. The telegraph was received with universal favor, and it was not long before it was in use in all parts of the globe. Thus was the invention of Morse the first of a long series of electrical contrivances that one day was to make the world a huge whispering gallery.

CHEAP LANDS AND IMMIGRATION

While invention during the forties was doing so much for the advancement of the arts and sciences, the leaven that was working most powerfully for progress was, as always, the abundance of cheap land. In 1845 the secretary of the treasury, R. J. Walker, reported that there were subject to entry nearly 250,000,000 acres of public lands, an acreage that was of course enormously increased by the acquisition of territory made shortly afterward. Under the workings of the Preëemption Act, which was passed in 1841, a settler could enter upon a tract not greater than 160 acres, build himself a home, improve his land, and feel that he was secure in his title. His preëemption privileges gave him the first right against all comers of purchasing his tract from the Government on the most favorable terms, which were in most cases still \$1.25 an acre.¹ Preëemption rights were granted to heads of families, widows, and single men over twenty-one years of age who were citizens or had declared their intention of becoming citizens.

As cheap as land was and as favorable as were the terms under which the settler could secure it, there arose a demand that it be sold at a still cheaper rate. Walker was for reducing the price to twenty-five cents an acre. "Reduce the price which the laborer must pay for the public domain," he said; "bring thus the means of purchase within his power; confine the sales to settlers and cultivators in limited quantities, preserve these hundreds of millions of acres as homes for the poor and oppressed; reducing the taxes by reducing the tariff, and bringing down the prices which the poor are thus compelled to pay for all the necessities and comforts of life, and more will be done for the benefit of American labor than if millions were added to the profits of manufacturing capital by the enactment of a protective tariff." In urging this policy Walker was responding to a demand for land reform made by the working-men of the East. The leaders of the free land movement consisted of a group of radicals, the most prominent of whom was George Henry Evans, a man of "undoubted sincerity and of no mean ability, who without the frills of a demagogue rendered a real service for the cause of labor and humanity." Evans was assisted by Horace Greeley, whose "Tribune" was now looked upon by thousands of wage-earners as a kind of political Bible. Besides

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Preëemption
PolicyThe Move-
ment for
Free Land¹ See p. 218.

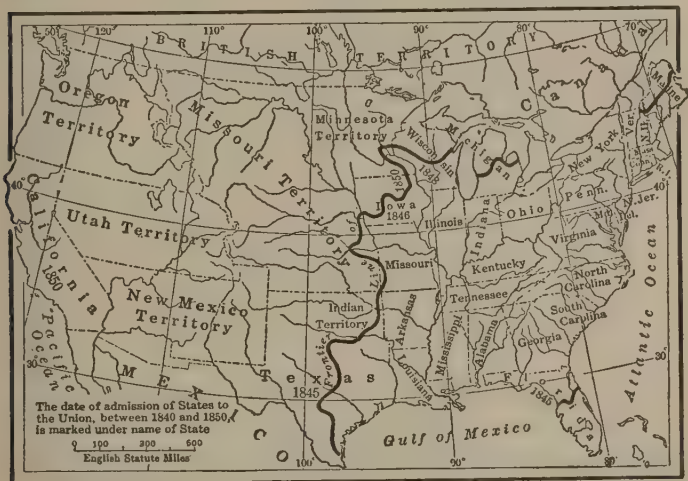
lending the influence of his paper to the movement, Greeley did what he could in a political way. While a member of Congress in 1848 he introduced a bill authorizing "each landless citizen of the United States to occupy and appropriate a small allotment of national domain *free of charge*." But Evans and Greeley had to wait; years were to pass before Congress would consent to a free homestead law.

The movement for free land was closely connected with a labor situation created by an unusual influx of immigrants; cheap lands were wanted for the foreigners who were pouring into the cities of the East. For in the forties the immigration that had flowed so long in a gentle stream suddenly became a flood. Before 1840 the annual influx of foreigners was counted by the tens of thousands; after that year it was counted by the hundreds of thousands. In the fifty-five years before 1845 fewer immigrants landed upon our shores than came in the last five years of the forties. In 1850 the influx reached the startling figure of 310,000. At least three-fourths of these new-comers emigrated from the two countries, Ireland and Germany. There was nothing new in the character of this immigration, for from the very beginning of our national existence, through decade after decade, an overwhelming majority of the foreigners who came to our land consisted of Irishmen and Germans. The immigration from Ireland in the forties was caused largely by hunger. In 1845, and also in 1846, misfortune came to the Irish in the shape of the potato murrain which attacked the plants and caused an almost complete failure of the crop. Since the potato was the principal food of the Irish people hardship and distress followed. Hundreds of thousands died of starvation. Panic-stricken at the fear of hunger, great throngs sought relief in flight. In 1847 more than 100,000 emigrants left Erin for America. The migration from Germany was due largely to revolutionary movements and political discontent. Nearly all Europe in the late forties passed through the throes of revolution. "A popular agitation," says W. A. Dunning, "was engendered that swept over all central and western Europe. Monarchies disappeared, Republics and constitutions and bills of rights and new nationalities became the order of the day." One of the most conspicuous results of this democratic movement was the emigration to America of many thousands of ardent, high spirited German liberals. German immigration alone in 1849 amounted to upwards

of 60,000. The Irish new-comers for the most part remained in the East to swell the population of the cities, but the Germans in great multitudes went directly out to the Western country, "the glory of the sunshine in their faces and the love of the big prairies in their hearts."

THE OLD NORTHWEST AND THE NEW NORTHWEST

All these factors—cheap lands, immigration, inventions—worked together for the building up of the West. It has been said that



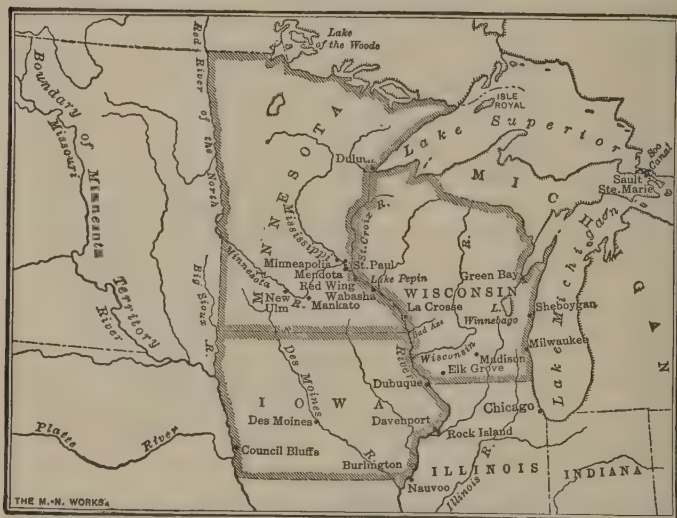
The United States in 1850

the reaper alone carried the frontier line westward at the rate of thirty miles a year. During the forties, therefore, the slogan of American life was Westward Ho! Westward the course of empire took its way.

As was to be expected, the Old Northwest at this time, a veritable beehive of industry, was bounding along at an astonishing rate. During the decade the three States of Ohio, Illinois, and Indiana added more than a million to their population. By 1850 Ohio was pressing close upon Pennsylvania in the number of her inhabitants and was pushing to the front as an industrial and commercial as well as an agricultural community. She could boast of Cincinnati,

The Old
Northwest a
Beehive of
Industry

the "Queen City of the West," and of four thriving cities besides—Cleveland, Columbus, Dayton, and Toledo. All over the West towns and cities were springing up in a manner that caused the census-taker to rub his eyes in wonder. Between 1840 and 1850 Pittsburg, Louisville, Detroit, and Cincinnati all doubled their population, while the increase in the case of St. Louis was nearly fivefold and in the case of Chicago sixfold. The growth of Chicago was unmatched in the history of urban development. As late as 1838 wolves could be heard at night howling in the woods around



Along the Upper Mississippi and Around the Great Lakes

this little town. Twelve years later it had grown to be a city of 30,000 and was bidding fair to outstrip all its rivals in the West.

It was not in the Old Northwest, however, but in a new Northwest, that progress was winning its greatest triumphs. In no part of the country did the upbuilding of new communities proceed faster than along the banks of the upper Mississippi and along the shores of the Great Lakes. Into this New Northwest poured emigrants from every part of the Union. The Iowa country was the first to be opened up. No region could have had greater charms for the pioneer than Iowa. "Its prairies," says E. L. Sabin in his "The Making of Iowa," "were rounded and swelling, fringed by

heavy timber. In the spring the grass was a tender green and covered with flowers. The groves were rich in blossoming rosewood, dogwood, wild cherry and wild plum. The wild rose was abundant. In the summer the prairies were like a sea, the tall coarse grass, dried to a golden hue, waving in the wind." The settlement of this beautiful country did not begin early, because it teemed with savage tribes. But the white man was bound to come and take possession. Piece by piece the red man lost his lands. In 1832 the Government bought of the Sacs and Foxes almost six million acres lying west of the Mississippi and north of the Des Moines. In this tract—known as the Black Hawk Purchase—there were valuable deposits of lead. As soon as the Indians were out of the way there was a rush for the lead mines and the settlement of Iowa began in earnest. Dubuque was founded in 1833; Burlington in 1834; Davenport in 1836. But as yet Iowa was without a government; for when Congress in 1821 set Missouri off as a State it failed to provide a government for the region at the north. In 1834 a miner at Dubuque shot another miner and killed him, but there was no legal way of bringing the murderer to justice. The offender was made to suffer for his crime, nevertheless; he was brought before a jury which he himself was allowed to elect. The jury sat on a log and tried the case, and the prisoner was found guilty and was hanged. When this case of backwoods justice had been brought to the attention of Congress, steps were taken to provide the Iowa country with an orderly government. In 1838 Iowa was made a Territory, and eight years later it entered the Union. The rush to the new State was headlong. Emigrants came from the South, from the East, and from Europe. Ferries were busy night and day carrying the pioneers across the Mississippi, and steamboats on the Ohio, the Mississippi, and the Missouri were packed with passengers for Iowa. In ten years between 1840 and 1850 the population of Iowa jumped from 40,000 to 200,000.

Rapid as was the growth of Iowa the growth of her eastern neighbor was even more rapid. Wisconsin for nearly fifty years was a portion now of this Territory, now of that, but in 1836 she became a Territory in her own name and right. Her early settlement was connected with a bitter struggle which the pioneers had with Black Hawk, a leader of the Sacs and Foxes and a fine specimen of Indian manhood. Black Hawk was opposed to the treaties

Black Hawk

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under which the whites were gaining possession of the upper Mississippi country, and in 1831 he refused to move from lands which the whites had purchased. Troops were sent against the troublesome chief, with the result that in the summer of 1832 his band of warriors was completely defeated and he himself was captured at Bad Ax in Wisconsin. The brave leader gradually became reconciled to the course things were taking. "I love my village," he said to his captors, "my corn-fields, and my people. I fought for them. They are now yours. I have looked upon the Mississippi River since I was a child. I love the great river. I have always dwelt upon its banks. I look upon it now and am sad. I shake hands with you. We are now friends."

Wisconsin

After the rout of the Indians at Bad Ax emigrants poured into Wisconsin in great throngs, coming by overland routes, by the Ohio and Mississippi, and by the Great Lakes. Steamers on the lakes at times were so crowded that passengers were obliged to sleep on mattresses spread on the decks and dining-room floor. The foundations of Wisconsin were laid by men who came from the older States, but in the late forties Germans began to stream in. "In New York," wrote a German settler of 1848, "every hotel-keeper and railroad agent, everyone who was approached for advice, directed men to Wisconsin." The settlement of Milwaukee began in 1835, and its growth was like that of Jonah's gourd. Within a year it grew to be a village of 4000 people; and by 1850 it was a city with a population of over 20,000. The influx of settlers into Wisconsin flowed so strongly that by 1847 more than 200,000 whites had settled in the Territory. Wisconsin was now more than ready for statehood, and it was given its present boundaries and admitted into the Union.

Florida

As Iowa and Wisconsin were free States, their entrance into the Union served as an offset to the admission of the two slave States of Florida and Texas. For during the forties the cotton kingdom bordering on the Gulf was rounded out and enlarged by the admission of Florida as well as Texas. In 1835 Florida Territory had a vast amount of trouble with the Seminoles led by the chief Osceola, but after a long and expensive war the Indians were expelled. The people of Florida then began to seek admission into the Union. Congress, however, let them wait, as well it might, for the white population of this Territory as late as 1840 was less than 30,000. But the admission of Florida was hastened by the admis-

sion of Iowa. In 1845 by the same enabling act both Florida and Iowa were elevated to the rank of States. The count now stood fifteen slave and fourteen free States. With the admission of Wisconsin the balance was restored.

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ALONG THE PACIFIC COAST

The westward moving procession extended clear across the continent, ending only at the far-off shores of the Pacific. Between the western limits of Missouri and Iowa and the Rocky Mountains lay vast plains known as the Great American Desert. It was necessary, therefore, for emigrants bound for the coast to make a flight across the desert. The flight was perilous, but it did not deter the thousands of home-seekers. Oregon was organized as an American community by the pioneers who went out in the early forties.¹ In 1843 the settlers in the Willamette Valley met in a barn at Champoege and drew up a plan for a temporary government which satisfied their needs for several years. But when it was definitely determined in 1846 that Oregon was to be American territory, the settlers asked Congress for a permanent government. Congress was slow to respond, delaying because of the slavery question. Everybody was in favor of giving Oregon a Territorial government; but the Northern members of Congress wished to exclude slavery from the new Territory, while the Southern members were opposed to making any provision at all in regard to slavery. After a long and earnest struggle a bill was passed in 1848 which gave Oregon a Territorial government but provided that the Ordinance of 1787 should be applied to the Territory. This, of course, had the effect of excluding slavery from Oregon.

Oregon

From Oregon our story carries us to California. When this fair country came into our possession it was inhabited chiefly by Spaniards and Indians. For more than a hundred years Spanish priests of the Jesuit and Franciscan orders had been establishing missions in California, and by the time the Americans appeared upon the scene there were missions at San Diego, San Luis Rey, Los Angeles, Santa Barbara, Monterey, San José, and San Francisco. The purpose of the mission was to teach the Indians Christianity and to train them in the arts of civilized life. The mission was thus both a religious and an industrial community. "At sunrise the bell sounded for the Angelus, and the Indians assembled

The Spanish
Missions

¹ See p. 329.

in the chapel, where they attended morning prayers and mass and received short religious instruction. Then came breakfast, after which they returned to their work. At 11 A. M. they ate dinner, and after that they rested until 2 P. M. Work was then resumed and continued until an hour before sunset, when the bell again tolled the Angelus. After prayers and the rosary the Indians supped, and then were free to take part in a dance or some such innocent amusement." The chief occupations at the mission were farming, cattle-raising, and the growing of fruits—apples, pears, peaches, apricots, plums, oranges, and pomegranates. In the fields the priests, setting an example of industry, worked side by side with the Indians.

After the treaty of Guadalupe Hidalgo this peaceful, sleepy civilization quickly passed away. For just about the time the treaty was signed it was discovered that gold was abundant in the Sacramento Valley. The rumor of the discovery worked its way to the East and was converted into certainty by a message of President Polk in December, 1848. "The accounts of the abundance of gold," said the President, "are of such an extraordinary character as would scarcely command belief were they not corroborated by the authentic reports of officers in the public service who have visited the mineral district." The eyes of the world were now fixed upon California. Men of all ages, of all classes, and of all nationalities started for the newly found gold-fields. "Settlements were completely deserted; homes, farms, and stores abandoned. Ships deserted by their sailors crowded the bay at San Francisco [there were five hundred of them in July, 1850]; soldiers deserted wholesale; churches were emptied; town councils ceased to sit; merchants, clerks, lawyers and judges and criminals everywhere, flocked to the foot-hills. Soon from Hawaii, Oregon, the Eastern States, the South Sea, Australia, South America, and China came an extraordinary flow of the hopeful and adventurous. In the winter of '48 the rush began from the States to Panama, and in the spring across the plains. It is estimated that 80,000 men reached the coast in 1849, about half of them coming overland; three-fourths were Americans. From across the Atlantic there came Britons, Germans, Frenchmen, Italians, others speaking strange tongues, until the names of California were likened to so many towers of Babel, and pantomime often took the part of speech."



TO HONOR THE MAN WHO HAS
NEITHER BORROW NOR LEND.

A CARTOON OF 1849

Adventurers from the East could reach the gold-fields by water or by an overland route. If they went by water, they could either sail around Cape Horn, a distance of seven thousand miles, or they could cross the unhealthful Isthmus of Panama and reëmbark on the Pacific side. The question of transportation across the American Isthmus gave rise to diplomatic negotiations between England and the United States respecting the building of an Isthmian canal. The result of the negotiations was the Clayton-Bulwer Treaty, which was ratified in 1850. In this treaty the United States entered into an agreement with England not to build an Isthmian canal over which we should have exclusive control. If the United States should build such a canal it was to be neutral, the two powers agreeing to guarantee and protect its neutrality. This protection was also to be extended to any other practicable communication across the isthmus, whether by railroad or canal, the intention being to establish a general principle as well as to settle one particular question.

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XVIIThe
Clayton-
Bulwer
Treaty

The gold-seekers who went by the overland route made their way to Independence, Missouri, near Kansas City. This frontier town was the starting-point of a journey of more than two thousand miles across waterless plains and over steep and rocky mountains. From Independence emigrant trains could go by the Santa Fé Trail, or they could follow the Oregon Trail to the Humboldt River, where by turning to the southwest they could make their way to the western slope of the Sierras and move down into the Sacramento Valley, the Promised Land of gold.

The
Overland
Routes to
California

Whether he went by the Santa Fé Trail or by the Oregon Trail, the emigrant was almost sure to meet with great suffering and hardship. On the plains water was hard to get and many perished of thirst. When crossing streams, wagons were sometimes swallowed up by quicksand. On the rough paths in the mountains, vehicles were often overturned and their occupants injured or killed. Along the Oregon Trail the buffalo was extremely troublesome. "One night," wrote one of the early emigrants to California, "when we were encamped on the South Fork of the Platte, the buffaloes came in such droves that we had to sit up and fire guns and make what fuss we could to keep them from running over us and trampling us into dust."

In spite of dangers and hardships the "forty-niners" went out in great throngs, their trains in the daytime filing along the roads

The
"Forty-
niners"

for miles, and at night their camp-fires glittering at places blessed with grass and water. California at once became a populous region. San Francisco, a hamlet in 1847, grew in five years to be a city of nearly 35,000 inhabitants. A score of places rose as fast as carpentry could build them. Stockton, from a single ranch-house, expanded in a few months to the proportions of a good-sized town. Sacramento, which had no existence whatever in 1848, was



The Santa Fé and Oregon trails to the Pacific Coast

in 1849 a thriving place. So great was the influx of gold-seekers that the population of California increased tenfold in two years—from 10,000 in 1848 to nearly 100,000 in 1850.

Here was a community ready for statehood within a few months after it came into our possession. Congress promptly took up the question of providing a government for California, but it was slow in reaching action. Yet prompt action was highly desirable, for the gold-seekers were mostly turbulent adventurers who sorely needed the restraining hand of authority. The old Mexican gov-

ernment was impotent to cope with a situation in which law was wanting, justice being defeated, and villainy running rampant. Conditions approached a state of virtual anarchy, and the Californians were on the point of forming a government of their own, as American pioneers had done time and time again. But it turned out that drastic measures were not necessary; for in June, 1849, General Riley, the military governor and the possessor of whatever civil power there was, issued a proclamation recommending a general election of delegates to a convention which should have power to frame a constitution for California. Accordingly delegates were elected and a constitutional convention, meeting at Monterey in the autumn of 1849, drew up a constitution which was ratified by the people. In the constitution there was a clause prohibiting slavery. This feature of the proposed constitution gave rise in Congress to a long and stormy debate, an account of which will be given in another chapter. Sufficient it is at present to say that Congress accepted the antislavery provision and in 1850 consented to the admission of California. Thus it came into the Union without first passing through the territorial stage of government. Minerva was fittingly chosen as the emblem of the State which came into existence full-grown.

NEW MEXICO; UTAH

Turning from the fertile land of California, our story of the westward movement now takes us to the arid region of New Mexico and Utah, for it was in the forties that the foundations of these two States were laid. New Mexico at the time of its acquisition had a white population of about 60,000, with 30,000 Indians. The province was much more thickly populated than California. Santa Fé, the ancient capital of New Mexico and the center of the travel and trade that moved along the Santa Fé Trail, was a place of more than 5000 inhabitants. The value of the merchandise distributed annually at this isolated mart was more than a half a million dollars. Albuquerque also was already a thriving town with a population almost as large as that of Santa Fé. New Mexico in fact at the time of the American occupation was a province of such importance that its people felt that it was entitled to statehood, and an attempt was made to bring it into the Union at once. But nothing came of the movement; many years were to pass before

New Mexico was to be received into the sisterhood of States. Yet the province could not be neglected. Polk in 1848, immediately upon its acquisition, urged upon Congress the necessity of promptly providing it with a Territorial government. Inasmuch as legislation for the new Territory involved the question of slavery, the New Mexico Bill—of which more hereafter—met with many obstacles, and its passage was blocked until 1850, when the province was erected into a Territory.

On the same day that New Mexico was provided with a Territorial government Utah was cut off from the original New Mexico and made a separate Territory. The settlement of Utah was one of the most interesting incidents in the whole history of the westward movement. The pioneers of this remote outpost were the Mormons, members of a religious society which was organized about 1830 under the name of the Church of Jesus Christ of the Latter-day Saints. The spiritual founder of the society was Joseph Smith of Palmyra, New York. Smith was a believer in visions and dreams, and about 1823 he proclaimed that an angel of the Lord had led him to a spot where, concealed in a stone box buried in the earth, were a number of records written in a strange language upon golden plates. Having been endowed by this angel with knowledge for translating the records, Smith turned them into English and gave them to the world as the "Book of Mormon," the Bible of the Latter-day Saints. With the aid of a band of followers called elders, Smith began the work of proselyting, and a Mormon Church was organized. The first home of the Mormons was in western New York, but soon they moved to Kirkland in Ohio, where their membership numbered a thousand. After a temporary residence in Ohio Smith took his followers to Independence in Missouri and began the erection of a magnificent temple. But they became obnoxious to the people of the neighborhood and were driven out of the place by an armed mob. They next removed to Illinois and built a town which they called Nauvoo. Here again, having incurred the hostility of the inhabitants of the surrounding country—a hostility due chiefly to the fact that one of the tenets of the Mormon faith permitted the custom of polygamy,—they were attacked by an enraged populace, and their leader was thrown into jail where he was killed. After the death of Smith, a devoted follower, Brigham Young, was chosen as the president of the Saints.

Under the leadership of Young the Mormons in the spring of 1847 left Illinois and set out for a new home in the Far West. After a long and toilsome journey across the plains they came to a valley in the Salt Lake basin. Here they found a permanent resting-place and freedom from persecution. Their settlement was made outside of the bounds of the United States on soil that belonged to Mexico. But by the Treaty of Guadalupe Hidalgo they were speedily brought under the control of the nation from whose jurisdiction they thought they had escaped.

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XVII

After a reluctant submission to the rule of the United States the Mormons began at once to agitate for statehood. A convention was held in 1849 at Salt Lake City and a constitution was adopted for a State to be called Deseret. A legislature for the proposed State was elected; Brigham Young was made the governor; and judges and other officials were chosen. A delegate was sent to Washington with a petition for the admission of Deseret into the Union. But the petition fell upon deaf ears; Deseret failed to receive recognition. Congress, however, realizing that the Saints needed a government, gave them a Territorial organization, the name of the Territory being Utah. The existence of Deseret was therefore blotted out.

Deseret

Thus in the forties pioneers were as industrious in spreading American civilization as diplomats and soldiers were in extending our boundaries. Between 1840 and 1850 the population of the Western country increased by more than two million, and eight Western communities emerged from the wilderness and were organized either as States or Territories. The celerity of this development brought to the United States benefits of incalculable value. The prompt settlement of the Oregon country and of California shattered completely any hopes that any foreign nation may have had of securing possession of the Pacific coast. The vigorous operation of the gold-mines in California enabled the mints to supply the country with an additional volume of money which came just in the nick of time. Our commerce and industry were expanding with the expansion of the country, and the conditions of business were requiring greater and greater amounts of currency. California could easily meet the demand, for between 1849 and 1856 nearly \$500,000,000 worth of gold were taken from her mines. But more important than the gold-mines of California were the harbors of the Pacific coast, and the opportunities which

The Benefits
of the
Acquisi-
tions

they offered of trading in new markets. "From its position," said Polk, "California must command the rich commerce of China, of Asia, of the Islands of the Pacific, of western Mexico, of Central America, the South American States, and of the Russian possessions bordering on that ocean." Polk's forecast was accurate; with the acquisition of the Pacific coast we turned our face to the Orient.

AN ISSUE AVOIDED

A Problem
Full of
High
Explosives

Polk could be pardoned for discoursing with pride on the benefits that would accrue from the territorial trophies of the Mexican War, for surely the new possessions were rich in promise. But connected with the acquisition there was a political problem full of high explosives. This was the slavery question, which was brought up in 1846 when a bill was on its passage through Congress giving money to Polk to aid him in his plans for acquiring New Mexico and California. It was proposed by David Wilmot of Pennsylvania to insert the following proviso in the bill: "Provided, that as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, in virtue of any treaty which may be negotiated between them, and the use by the Executive of the monies herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory except for crime, whereof the party shall first be duly convicted." Here was the famous Wilmot Proviso which for years was to "flame in the skies like Constantine's Cross." The proviso sounded clear and strong the note of anti-slavery sentiment as existed at the time: no further extension of slavery. It thus brought up squarely before Congress a question which that body from the days of the Missouri Compromise had been avoiding, but which the abolitionists would allow it to avoid no longer. And the proviso brought the slavery question squarely before the people of the entire country. Should the area of slave territory be extended? Although many years passed before a decisive answer to this question was given, the proviso had the immediate effect of showing which way the wind of public opinion was blowing. In the South the sentiment was all against slavery restriction. In Virginia the legislature went so far as to affirm, in substance, that the adoption and enforcement of the proviso would lead to actual warfare. In the North public opinion was strongly

for the proviso. In ten of the free States the legislatures passed resolutions in favor of the measure. Wilmot's amendment was passed by the House but was lost in the Senate. The proviso was brought up again in the next Congress. Abraham Lincoln, who was then serving his only term in the national legislature, says that he voted for the proviso under one form or another forty-two times; but it always was defeated.

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It was of ominous significance that opinion in regard to the proviso, whether in Congress or outside, ran along sectional rather than along party lines. Whigs in the South were as bitter in their condemnation of the proviso as were Democrats, while Northern Democrats supported the measure as heartily as it was supported by Northern Whigs. "An issue was thus made up," says G. P. Garrison, "which soon became the basis of a new political organization; national party lines began to waver; diverse elements gradually coalesced and unified into two great sectional groups, standing apart and facing each other with resolute purpose, the one to prevent the National Government from promoting by any act, either of commission or of omission, the interests of slavery, and the other to guard these interests from national interference." But the proviso did more than to produce party dissension. It proved to be the thin edge of a wedge that was driven deeper and deeper until friendships, social ties, and business associations were sundered and great religious denominations were split in twain.

Two Great
Sectional
Groups

The question raised by the proviso was uppermost in the public mind in 1848 when a Presidential election was at hand. But the politicians of the two great parties managed to conduct the campaign without bringing slavery to the front. Polk did not seek reëlection, having declared before he was first elected his purpose not to be a candidate for a second term. The standard-bearer chosen by the Democrats in 1848 was Lewis Cass, a product of the Old Northwest¹ and an interesting specimen of the genuine American type. In the convention which nominated Cass an effort was made to pass a resolution condemning the Wilmot Proviso, but the resolution was voted down by a heavy majority. The leading candidates before the Whig convention were General Zachary Taylor, Henry Clay, and General Winfield Scott. Clay was still the idol of the masses, but as he had been three times defeated the leaders were afraid to nominate him. On the first ballot Taylor

The
Nominees
in 1848

¹ See p. 302.

showed greater strength than Clay and on the fourth he was nominated. The Whig candidate for Vice-President was Millard Fillmore of New York. The Whigs adopted no platform at all: they felt that Taylor would be elected by "spontaneous combustion." Resolutions supporting the Wilmot Proviso were offered in their convention but were voted down. Thus upon the only real issue before the country both Whigs and Democrats were as silent as the tomb.

"No More
Slave
States; No
More Slave
Territory"

But at Buffalo in 1848 there was held a convention which met the slavery question fairly and without any mincing of words. This was the convention of the Free-soil party, an organization which had by this time absorbed the Liberty party.¹ The Free-soilers nominated ex-President Van Buren for the Presidency and came out against slavery in the strongest terms. They declared that Congress had no more power to make a slave than to make a king. They resolved: "That we accept the issue which the slave power has forced upon us; and to their demand for more slave States and more slave territory our calm but final answer is: No more slave States and no more slave territory. Let the soil of our extensive domain be kept free for the hardy pioneers of our land and the oppressed and banished of other lands." Here was a fairly accurate statement of the aims of the antislave party. Organized opposition to slavery at this time did not go so far as abolition; it was against the spread of slavery that the antislavery people were directing their fight.

The
Election
of Taylor

The challenge of the Free-soilers was not accepted; men were not yet ready to take sides on the slavery question. Political inertia was greater than sectional interests or considerations of sentiment. Van Buren failed to secure a single electoral vote. In his own State, however, he polled a larger number of votes than Cass, a result due to the fact that he was supported by the so-called "Barnburners," a radical faction of Democrats who refused to support the regular candidate. The defection of the Barnburners gave New York to Taylor. As in 1844, so in 1848, New York was a pivotal State; its thirty-six electoral votes decided the election in favor of Taylor. But it was a contest without an issue. There was little interest in the election, and in many States no effort was made to poll a full vote. "Practically the only thing decided was

¹ See p. 320.

that a Whig general should be made a President because he had done efficient work in carrying on a Democratic war.”

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NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1825 English Parliament passes an act making concessions in respect to trade with her colonies, offering to foreign nations such commercial privileges as they themselves extend to Great Britain. (For a time the United States reaped no profit from the concession because of its high tariff policy. In 1830, however, negotiations resulted in an arrangement under which the trade between the United States and the British West Indies was opened.)
- 1831 The “Kitchen Cabinet.” (A name applied to a group of intimate political friends of Andrew Jackson who, it was charged, had more influence over his official actions than his constitutional advisers.)
- 1833 Slavery abolished throughout the British Empire.
- 1834 Indian Territory set apart for the Cherokees and other tribes.
- 1835 Tocqueville’s “Democracy in America” published.
- The Toledo War. (A bloodless dispute between Ohio and Michigan over the territory which contained the city of Toledo. Armed hostilities at one time were imminent, but the trouble was settled by giving Michigan the Upper Peninsula in exchange for the Toledo tract in dispute.)
- 1836 Siege of the Alamo, a fort at San Antonio, where a band of about 140 Texans resists a force of ten times their number. (All but six of the Texans perished rather than surrender. The six who surrendered were murdered. Among the dead were David Crockett, a famous frontiersman, and James Bowie, the inventor of the deadly bowie-knife.)
- 1837 Professor Morse receives a patent for his magnetic telegraph.
- The Aroostook War. (Between 1837 and 1839 trouble among the settlers along the boundary between Maine and New Brunswick came near to active hostilities on the Aroostook River. President Van Buren sent General Scott to the scene and a truce was arranged. The trouble was definitely settled by the Ashburton treaty. See p. 496.)
- Massachusetts creates a State board of education, of which Horace Mann is appointed secretary.
- Victoria becomes queen.
- 1840 Uniform penny postage system established in Great Britain.
- 1842 Ether first used as an anesthetic by Dr. Long of Georgia.
- The Dorr insurrection. (In Rhode Island there was a great deal of dissatisfaction because the constitution did not permit a man to vote unless he owned real estate worth at least \$130 or paid a yearly rent of at least \$7. Those who were in favor of changing the constitution elected as governor Thomas W. Dorr, who attempted to take possession of the State government by force. Before there was any bloodshed Dorr’s followers deserted him. He was

- arrested and imprisoned but soon pardoned. In 1842 a State convention adopted a constitution which embodied nearly every provision that had been advocated by Dorr.)
- 1844 Anti-rent troubles. (In New York the tenants on the Van Rensselaer estates complained of the taxes and the rent which they were compelled to pay, and in the agitation for relief there were acts of lawlessness. The disturbances were suppressed, and in 1846 the grievances were redressed.)
- The Hunkers. (This was a name applied to a faction of the Democratic party of New York opposed to the Barnburners.)
- Methodist Church divides on the subject of slavery.
- 1845 Sir John Franklin sails in search of Northwest Passage.
- 1848 Lowell's "Biglow Papers" appear.
- Woman's Rights convention held at Seneca Falls, New York. (It demanded for women equal rights with men, basing the claim on the Declaration of Independence.)
- 1849 Department of the Interior created by Congress and given jurisdiction over patents, Indian affairs, pensions and the census, and public lands.

Suggested Readings

- The Pacific Northwest: Joseph Schafer.
- The West in the forties: McMaster, Vol. VII, pp. 190-227.
- Discovery of gold in California: McMaster, Vol. VII, pp. 584-597.
- Early Iowa: William Salter, "Iowa."
- Early Wisconsin: Thwaites, R. G., "Wisconsin."
- Ten-hour movement: Commons, Vol. I, pp. 536-546.
- Territorial and industrial expansion: Van Metre, pp. 323-356.
- The Irish and the Germans: Ross, pp. 24-65.

XVIII

ASPECTS OF SLAVERY

ALTHOUGH the slavery question was dodged by the politicians in the campaign of 1848 it was plain to the whole country that the problem would soon have to be faced. The cleavage of sentiment on the subject of slavery extension was now a clearly marked line. The Wilmot Proviso brought out the fact that the North as a section was violently opposed to extension and that the South as a section would bitterly resent a policy of restriction. So threatening was the temper of the two sections and so sharp were their differences that slavery became the paramount issue of the day. Since this was so, we shall do well at this point to draw near and take a close view of slavery as it existed about 1850. What was the true character of the social institution about which the North and South differed so widely? What were the conditions of slave life? What were the moral and economic aspects of slavery?

THE SLAVEHOLDERS; THE POOR WHITES

By 1850 the area of slave territory had reached its greatest extent, for after the annexation of Texas no more slave States were admitted. The fifteen States in which slavery was now recognized by law were Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Missouri, Arkansas, and Texas. Over against these were sixteen States (counting California) in which human bondage was unlawful. The population of the free States was about 14,000,000. The total population of the slave States was something less than 10,000,000, the whites numbering a little more than 6,000,000, the slaves a little more than 3,000,000, and the free negroes about 250,000. In the slave States about one white person in eighteen was the owner of one or more slaves, the total number of slaveholders being something less than 350,000. About 8000 of the slaveholders owned more than fifty slaves each; a majority

Slavery
Statistics

of them owned less than five each; while one fifth of them owned only one each.

The slaveholders constituted the ruling class. They were dominated by an aristocracy, or rather oligarchy, composed of the masters of large plantations. "These rich planters," says Ostrogoski, "formed an élite which in more than one respect presented a striking resemblance to the old gentry of England and combined with the chivalrous qualities of a feudal race a fair intellectual culture and a great breadth of mind, except in what concerned the institution of slavery. . . . Drawing into their orbit the less wealthy planters and the men of liberal professions in the cities, this élite wielded an even vaster and stronger social and political leadership than that which obtained in England in the old days." The ability of Southern leaders and their fitness for public business was unquestioned even at the North. "While the Northern people," said Horace Bushnell, a Northern man, "were generally delving in labor for many generations to create a condition of comfort, slavery set the masters at once on a footing of ease, gave them leisure for elegant intercourse, for studies, seasoned their character with that kind of cultivation which distinguished men of society. A class of statesmen was thus raised up who were prepared to figure as leaders in scenes of public life where so much depends upon manners and social address." These masterful slaveholders held the South in the palm of their hand and, as these pages have already shown, they were the chief pilots of the nation as well. When we run over the names of those who directed affairs during the first three score years of our national existence we find Southern personages in an overwhelming majority. Up to 1850 every President, except the two Adamses, Van Buren, and Harrison, belonged to the slaveholding class. President Taylor had more than a thousand slaves on his plantation in Louisiana.

Outside of the slaveholding circle there were in the South upwards of four millions of whites. Many of these non-slaveholders were merchants, middlemen, mechanics, small farmers, lawyers, doctors, and the like, and were prosperous well-to-do citizens. But this class could not be very large in a region where towns and cities were so few in number and so small as they were in the South. A very large portion of the non-slaveholders consisted of an impoverished class that eked out an existence on the fringe of civilization, forming a rather distinct stratum of society known as the

"poor whites." These unfortunate people enjoyed the same political privileges as the planters, but their condition in life was indeed pitiful. "Driven off the fertile lands," says J. F. Rhodes, "by the encroachments of the planter, or prevented from occupying the virgin soil by the outbidding of the wealthy, they farmed the worn-out lands and gained a miserable and precarious subsistence. As compared with laborers on the farms and in the workshops of the North, their physical situation was abject poverty, their intellectual state utter ignorance, and their moral condition grovelling baseness." The poor whites were almost exclusively shut out from the industrial world for the reason that the slave system required the presence of but few white laborers. "The theoretical perfection of such a system," says G. M. Weston in his "Progress of Slavery," "requires that the proportion of whites should be no greater than is necessary for directing and coercing the blacks; and any excess of whites above that proportion is worse than superfluous, making a class of idlers, who in various ways, destroy or diminish the profits of the industry of others." Being an industrial hanger-on, the poor white could not escape contempt and disdain. "Two hundred thousand men with pure white skins in South Carolina," said a senator from a free State, "are now degraded and despised by thirty thousand aristocratic slaveholders." Industrially regarded, the poor white was a superfluity; socially he was an outcast; and politically he was a tool, for when election day came he generally yielded to the blandishments of the slaveholding politicians and voted the way he was told.

FREE NEGROES

The plight of the poor whites was sad enough, but sadder still was the plight of the free negroes, of whom there were in the United States in 1850 nearly half a million, almost equally divided between the North and South. Although free blacks were found in every State, they were most numerous on the border-land of slavery and freedom. More than half of them resided in Delaware, Maryland, Virginia, Kentucky, Indiana, Ohio, and Pennsylvania. Of those in the North many had been born free or had been given their freedom by State law. Many others had migrated to the North after having been set free in the South. For throughout the whole period of slavery it was common for slaves to be released from

bondage. Sometimes freedom was purchased by the slave himself, but must often it came through manumission by masters. In a few cases negroes were set free by the States in which they lived, as a reward for public service.

To many a free negro it must have seemed that his freedom was a doubtful boon, for "not so wide was the gulf between Lazarus and Dives as that which yawned between the whites of every class and the negroes." If a man had a black skin he was put into a caste and branded as an inferior, whether he lived in the North or in the South, whether he was slave or free. In almost every Northern State the free negro was the victim of social discrimination and unfriendly legislation. He was in most States deprived of the right of suffrage; he was arrested and thrown into jail upon the slightest provocation; he was liable to be kidnapped and carried away as a slave; his children were denied the privilege of attending school with white children; he could not give testimony in cases in which a white man was a party. In all sections of the North the free negro was subjected to the humiliating persecutions of racial prejudice. "The prejudice of race," said Tocqueville, "appears to be stronger in the States which have abolished slavery than in those where it still exists; and nowhere is it so intolerant as in those States where servitude has never been known. . . . In the theatres gold cannot procure a seat for the servile race beside their former masters; in the hospitals they lie apart; and although they are allowed to invoke the same God as the whites, it must be at a different altar, and in their own churches, with their own clergy. The gates of Heaven are not closed against them; but their inferiority is continued to the very confines of the other world. . . . Thus the prejudice which repels the negroes seems to increase in the proportion as they are emancipated, and inequality is sanctioned by the manners whilst it is effaced from the laws of the country."

In the South the inequality of the free negro was not "effaced from the laws." On the contrary the codes bristled with so many discriminations against free black men that they could hardly be called freemen at all. In no Southern State were they allowed to vote. "They were forbidden in some places to sell drugs; in others to sell wheat and tobacco; in several States from entering the commonwealth from elsewhere; in others a negro, if set free, must forthwith remove from the State." They could not hold public

meetings or teach each other to read or write. They could, however, accumulate property and did accumulate a very considerable amount of worldly goods. The property of colored freemen oftentimes included slaves. In Charleston there was an instance of a free negro who was the owner of more than fifty members of his own race. Free blacks also could enter the trades and become carpenters, masons, tailors. Indeed it would seem that generally speaking the free negro was better off in the South than in the North. In the North, besides being debarred from every fellowship save his own despised race, he was ruthlessly excluded from the more profitable trades and occupations; he was a pariah and nothing else. In the South, on the other hand, while the laws were more severe, he was the recipient of a more kindly treatment, and his negro nature was better understood. "Racial antipathy was there mitigated by the sympathetic tie of slavery which promoted an attitude of amiable patronage." Olmsted quotes a free colored Louisiana barber, who had lived in the North, as saying that he preferred to live in the South because colored people could associate with the whites much more easily and comfortably than at the North, and because he was kept at a greater distance from white people and was insulted more on account of his color at the North than he was in Louisiana.

THE LEGAL STATUS OF THE SLAVE

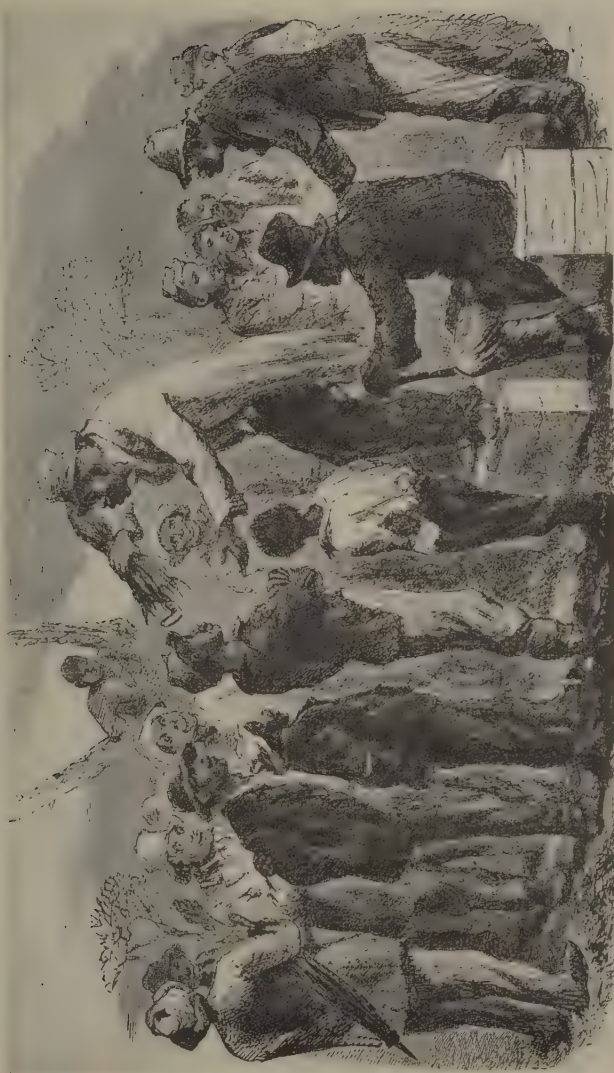
Unhappy and unfortunate as the free negro was in his legal status, he was nevertheless a king before the law when compared with the slave. In the eyes of the law the slave was a chattel. He could be sold, exchanged for other kinds of property, given away, or bequeathed. The fact that he could be sold was the most distressing circumstance, perhaps, of his condition. Foreign trade in slaves was, as we have seen, prohibited early in the century;¹ but the domestic traffic continued and was brisk as long as slavery existed. Between 1850 and 1860 the border States—Maryland, Virginia, and Kentucky—sold to the cotton States about 25,000 slaves every year. There was a local or neighborhood traffic and a long-distance or interstate traffic. Sometimes when an owner wished to sell a slave locally he would cause the word to be passed around among the neighbors. In some instances the slave was

¹ See p. 242.

sent out to find a purchaser for himself. U. B. Phillips cites the case of a woman slave who was furnished with the following document: "The bearer, Mary Jane, and her two daughters are for sale. They are sold for no earthly fault whatever. She is the most ladylike and trustworthy servant I ever knew. She can arrange and set out a dinner or party supper with as much taste as most of the white ladies. Her daughters' ages are eleven and thirteen years. They would not be sold to speculators or traders for any price whatever."

The long-distance traffic was between the border States and the cotton kingdom. Slaves destined for the far-off plantations were transported overland in groups numbering sometimes two or three hundred. Often the poor creatures had been torn away from their friends and relatives, and often the journey was made in shackled limbs. The local traffic had its humane side, but the long-distance trade was replete with offenses against the principles of justice and humanity. One of its worst features was the separation of families—parent from child, brother from sister, husband from wife. The best sentiment of the South, however, was against the breaking up of families; if it was possible to hold the family together it was done. The slave-trader's profits were large, but he paid dearly for his gains, for he everywhere lost the esteem of his fellow-men. "Preëminent in villainy," says D. R. Hundley, a Southern writer, "and a greedy lover of filthy lucre stands the hard-hearted negro trader. Some of them, we do not doubt, are conscientious men, but the number is few. Although honest and honorable when they first go into the business, the natural result of their calling seems to corrupt them."

Being himself a mere chattel, the slave, of course, could have no valid property rights. Nevertheless he was customarily permitted to possess and use as his own a considerable amount of property, chiefly of the personal kind. But, while the slave was deprived of the rights of liberty and property, his life at least was in a measurable degree his own. In respect to murder the slave and the white man were theoretically on an equality, for in all the slaveholding States the wilful, malicious, and deliberate killing of a slave was made a capital crime. The constitution of Georgia had the following clause: "Any person who shall maliciously dismember or deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offense had been committed



THE PLANTATION PREACHER

on a free white person, and on the like proof, except in a case of insurrection of such slave, and unless such death should happen by accident in giving such slave moderate correction." A master, however, could always kill a slave in self-defense. He could inflict punishment upon his slave, and if the slave died as the result of the punishment the master was held guiltless if he could prove that the punishment was moderate. Although the letter of the law protected the slave's life, it was extremely difficult to convict a white man, especially a master, of killing a slave; for no slave was allowed to testify against a white man. As a matter of fact, the wanton murder of a slave by a master seldom occurred, and there were good reasons why such a crime should not often occur. First, there was the financial loss. In 1850 a good slave was worth from \$1000 to \$1500, and to kill one was to lose a considerable sum of money. Secondly, there was the lash of public opinion. Although a master who had killed a slave might escape the just penalty of the law there was in all the South no community in which he could escape the opprobrium and scorn of his neighbors. An instance is cited where a man was driven to insanity and suicide by the execration which was heaped upon him because he had whipped a slave to death.

CONDITIONS OF SLAVE LIFE

What were the ordinary conditions of slave life? What did it mean to be a slave? In towns and cities and in the non-cotton-producing districts where slavery was largely a household or family matter the institution was at its best. There is ample testimony to show that household slavery had many agreeable features. "The slaves in a family," said Henry Clay, "are treated with all the kindness that the children of the family receive." In his old age General Sherman had memories of family servants being treated as well in the slave days as hired servants were in the eighties. Buckingham, an English traveler, thought "the condition of the slaves of the household was quite as comfortable as that of servants in the middle ranks of life in England. They are generally well-fed, well-dressed, attentive, orderly, respectful, and easy to be governed, but more by kindness than severity." Glimpses of Southern society constantly show that the household slave was the object of the white man's concern and consideration.

Household
Slavery

Not so bright was the picture of conditions on the plantations in the cotton kingdom. Here slavery was at its worst. In the cotton, sugar, and rice States the industrial system required a great number of large plantations which in many cases could not be managed directly by their owners. In the absence of the owner the slaves were placed under the supervision of an overseer. This functionary generally sought to manage the plantation in a manner that would give the proprietor the largest profits; and in his desire to make a good record he sometimes subjected the slaves to inhuman treatment, working them beyond their strength and failing to give them the necessary food and care. But the overseer was not always a brutal fellow, and it was not the general policy of planters to work the slaves without regard to mercy and beyond the limits of endurance. "The proprietor wishes the overseer most distinctly to understand," said C. P. Weston, "that his first object is to be, under all circumstances, the care and well-being of the negroes. The proprietor is always ready to excuse such errors as may proceed from want of judgment; but he never can or will excuse any cruelty, severity, or want of care toward the negroes."

In order to secure obedience and discipline, and to see that tasks were punctually and carefully performed, it was necessary at times for masters to bring physical force into use. Under the laws they could either imprison a refractory slave or flog him. Imprisonment was seldom practicable, for in prison the culprit could do no work although he must be fed. The usual form of punishment, therefore, was flagellation. There was plenty of whipping four score years ago, it ought to be remembered, not only in slavery but in places where all men were free. The lash was still regularly used in the navy and to some extent in the army. In some places husbands could still lawfully whip their wives, while in a number of States the less serious crimes of white men were atoned for at the whipping-post. But the slave was flogged not only for crimes, but for the ordinary misconduct of daily life; for carelessness, for disobedience, for insolence. J. H. Hammond, one of the governors of South Carolina and a planter, prepared a schedule of offenses for the guidance of his overseers. "The following," he said, "is the order in which offenses must be estimated: 1st, running away; 2d, getting drunk or having spirits; 3d, stealing; 4th, leaving plantation without permission; 5th, absence

from house after horn blow at night; 6th, unclean house or person; 7th, neglect of tools; 9th, neglect of work."

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Most of the flogging was for idleness or for failure to do the work assigned. When a task was set it had to be completed or a flogging would follow. In the large plantations the punishment was often administered by a negro foreman known as the "driver." This important personage followed his fellow-slaves in the fields and urged laggards to greater exertion by laying on the whip. The flogging of slaves was everywhere accepted as a matter of necessity. The masters saw no harm in it whatever. It was their theory that the negroes were but children and that if the rod should be spared the slave would be spoiled. But it must not be thought that in the flogging of slaves cruelty was the rule, for it was not. At times, it is true, a master in a fit of temper or in a state of intoxication would use his power in an inhuman manner, but as a rule he was merciful. Indeed, everywhere in the South the brutal master found himself an unpopular member of his community.

The material conditions of slave life varied of course with the good-will and humanity of masters. Generally speaking, household slaves were well fed, well clad, and comfortably sheltered. On plantations, however, the material welfare of the slave was often neglected in order that profits might accrue. The clothing of the plantation negroes was coarse and as scanty as was consistent with decency and comfort. Their diet was extremely simple, consisting chiefly of corn-bread, hominy, and bacon. There was a brief period, however, when the slave lived high. This was when the frost of winter brought the festival of hog-killing time. "While the shoulders, sides, hams, and lard were saved," says U. B. Phillips, "all other parts of the porkers were distributed for prompt consumption. Spareribs and backbone, jowl and feet, souse and sausage, liver and chitterlings greased every mouth on the plantation; and the crackling-bread carried fulness to repletion. Christmas and the summer largely brought recreation, but the hog-killing brought fat satisfaction." In some of the States the matter of a slave's food was made a matter of legislation, and it was enacted that the quantity of food supplied to slaves should be sufficient to keep them in a healthful condition. A slave, therefore, could be said to have one right which a freeman did not enjoy; namely, immunity from starvation.

Material
Conditions
of Slave
Life

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Housing

The living quarters of the slaves were humble cabins located near the master's house and built in a row that formed a kind of street. A cabin usually had two or three rooms and a loft and was whitewashed outside, while the interior was lathed and plastered. Adjoining the cabin was a garden and near-by a pig-pen in which there were two or three pigs. On all well-managed plantations the sanitation of the negro quarters received careful attention. The health of the occupants was also a matter of the proprietor's concern. "The point on which I feel the most solicitude," wrote Governor Hammond to one of his overseers, "that is the sick. It is murder to neglect a sick negro. I would neglect anything else to attend the sick. . . . Nurse well and physic little. Never give horse doses. Never give calomel if you can help it. Never drench a negro who you think is pretending; rather give him a dose of cold water and let him rest a day which will often save many days of real sickness to some poor tired fellow who is worn out. When you want a doctor send for Galphin, but remember he charges \$8.00 a visit."

Health

Religion

The slave was permitted to enjoy the consolation of religion. In some of the States the law provided that slaves should not be required to work on Sunday, unless their labor was an absolute necessity. They could be instructed orally in the Bible, but they must not be taught to read the sacred book. Sometimes they had their own negro preachers, and on the larger plantations their own little church. More often they attended the white man's church, occupying separate places in the gallery. Although their religious privileges were at the discretion of their master, they were generally allowed to attend church and worship in a manner suitable to their simple natures. "That in many or most of the States," says Albert Barnes, an antislavery writer, "the slaves are permitted to attend public worship, occasionally, at least, there can be no doubt; and that not a few of them become Christians, it would be as improper to doubt. Nor can it be denied that there are not a few kind and pious masters who sincerely desire the salvation of their slaves, and who are willing to grant to them all the facilities which the circumstances of the case may permit, to secure their salvation."

Education

In the matter of education slavery wore one of its darkest aspects. It was the avowed policy of most masters to keep their negroes in ignorance. As a rule it was unlawful to teach a negro to read or

write. It was feared that education might lead to plots and insurrections. Moreover, it was a theory quite generally held that to educate the slaves would do them more harm than good. Said a Georgian planter: "The very slightest amount of education, merely teaching them to read, impairs their value as slaves, for it immediately destroys their contentedness; and since you do not contemplate changing their condition it is surely doing them an ill service to destroy their acquiescence in it." Furthermore, it was thought that education would subtract from the efficiency of the slave. "Educate a negro and you spoil a good field hand," was a maxim quite generally accepted as being sound. Not all masters, however, were afraid of education. Household slaves were frequently taught to read, and the instruction was often given by the masters themselves—the law to the contrary notwithstanding.

The condition of the slave was hard, but it was not all stripes and toil and privation. In his life there was some joy and sunshine. Besides his Sundays he had Christmas week and Easter Monday and several days in summer for leisure and for lightness of heart. And he did not fail to make good use of his holidays. "All darkydom," wrote a Richmond editor, "must have holiday this week, and while their masters and mistresses are making fires and cooking victuals or attending to other menial duties the negroes are promenading the streets decked in their finest clothes." The masters encouraged the slaves in their dances and festivities and at times even permitted them to share in the white man's entertainments. An advertisement in "The Charleston Mercury" on April 21, 1843, read as follows: "Last days but one of General Tom Thumb. This distinguished dwarf can be seen here only to-day and to-morrow. In accordance with the wishes of many of our citizens and by permission of the Mayor, the colored people will be admitted this evening and to-morrow morning, from 7 till 9 o'clock. They must all come with a written permit from their masters or owners. Price of admission for colored people 12½ cents, which is half price."

Some
Joy and
Sunshine

Such in general was slavery in its every-day aspects. These aspects were forbidding enough, but it would be easy to condemn the institution on its social side with too great severity. "The government of slaves," says U. B. Phillips, a recent and a very judicious writer upon slavery, "was for the ninety and nine by men, and only for the hundredth by laws. There were injustice,

oppression, brutality and heartburning in the régime—but where in the struggling world are these absent? There were also gentleness, kind-hearted friendship and mutual loyalty to a degree hard for him to believe who regards the system with a theorist's eye and a partisan squint."

THE MORALS OF SLAVERY

What can be said of the ethics of slavery? What standing did the institution have at the forum of the human conscience? For centuries slaveholders seemed not to be disturbed by conscientious qualms; to hold negroes in bondage seemed to be entirely consistent with sentiments of the highest morality and the deepest piety. Even the slave-traders in the early days felt that Providence smiled upon their business. Once John Hawkins was attacked by some African negroes whom he was attempting to enslave and he barely escaped with his life. When writing of the incident he piously reflected "that God worketh all things for the best and by Him we escaped without danger." During the colonial period almost the only opposition to slavery on moral grounds was voiced by the Quakers. At the end of the eighteenth century, however, when emancipation was so fashionable, slavery often received the condemnation of the moralist. "At the time the Constitution was adopted," said Webster, "there was no division of opinion between the North and the South upon the subject of slavery. It will be found that both parts of the country held it equally an evil, a moral and political evil. The eminent men, the most eminent men, and nearly all the conspicuous politicians of the South held the same sentiments—that slavery was an evil, a blight, a scourge, and a curse." Said Jefferson in 1783: "The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part and degrading submission on the other. Our children see this and have to imitate it. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose rein to the worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities."

But soon the voice of conscience was drowned by the noise of the cotton-gin, and for many years the morality of slavery was a subject avoided alike in the pulpit and on the platform. With

the rise of the abolitionists, however, slavery began again to be attacked on its moral and religious side. "We assert," wrote the Rev. George Bourne in "The Liberator" in 1831, "that no slaveholder is innocent; that he is an unjust, cruel, criminal kidnapper, who is guilty of the most atrocious transgression against God and man; that it is the most infatuated delusion for such men to believe, or the most impudent hypocrisy in them to profess, themselves innocent; that the general management of the slave is a complication of indescribable barbarity." And soon moral considerations were urged against slavery by political crusaders. "We believe slave-holding to be an unsurpassed crime," declared a convention of political abolitionists in 1855, "and we hold it the sacred duty of civil government to *suppress* crime. . . . The ground which we occupy is holy ground; the ground of the *true* and of the *right* marked out by the divine law of loving our neighbors as ourselves. We call on all the friends of pure religion and of our common country to come to the rescue and cast in their lot with us in this great struggle."¹

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These denunciations of slavery as unholy found a lodgment in Northern minds but they went wide of the mark in the South. By 1850 the consciences of slaveholders were rarely disturbed by any doubts as to the rightfulness of slavery. "But let me not," said Calhoun, "be understood as admitting even by implication that the existing relation between the two races in the slaveholding States is an evil; far otherwise. I hold it to be a good, as it has thus far proved to be to both." "Few persons in the South," said W. Gilmore Simms in 1852, "question their perfect right to the labor of their slaves; and more, their moral obligation to keep them still subject as slaves and to compel their labor as long as they remain the inferior beings which we find them now, and which they seem to have been from the beginning."

The South-
ern View

Thus Southerners had come to believe that slavery had a moral justification and that its maintenance was not only a right but a duty as well. Furthermore, the slaveholders extracted a justification for slavery from the words of Holy Writ. In both the Old and New Testaments human bondage was fully recognized and was nowhere condemned. Here was a powerful and effective argument, for the Southern people have always been a deeply religious folk, and the slaveholders in their reverence for the authority of the

¹The italics are those of the original declaration.

Bible were as unreserved as the Puritans of early Massachusetts. Another argument of the master was that slavery had lifted the negro from the savage condition of the African jungle and placed him under the influences of a Christian civilization where his material wants were supplied. The free man suffered from the lack of employment, from the smallness of his wage, from the disabilities of sickness and old age, but the bondman was relieved of all anxiety as to material things whether of the present or the future.

THE ECONOMICS OF SLAVERY

But after all the question which the slaveholder asked was not whether slavery was good for the negro but whether it was good for the white man. Was slavery an economic blessing? Many economists contended that it was not. J. E. Cairnes, a leading authority in his day, summed up the economic defects of slave labor under three heads: (1) it was given reluctantly, the slave's efforts relaxing the moment his master's eye was withdrawn; (2) it was unskilful, because the slave, receiving no benefits from his work, had no inducement to exert his higher faculties; (3) it lacked versatility, because the ignorance of the slave prevented him from learning new branches of industry. But this kind of reasoning did not appeal to the slaveholders: they were not concerned in the theoretical aspects of slavery. The South believed that its prosperity depended upon slave labor, and that was enough. Not that it was cheap labor, for it was not. If the slaves were bought, there was required an outlay of capital that was unnecessary under a system of free labor. If they were born and reared on the plantation, their nurture from infancy to adolescence was a costly affair. In any case the slave had to be housed, fed, clothed, nursed, and cared for in sickness, and supported in his old age. If a slave died before his time a heavy loss was incurred. At every step, therefore, the slave proprietor was confronted with a class of expenses and losses which the employer of free labor escaped entirely.

Planters recognized that slave labor was expensive, and they often said that if they could see their way to employ free laborers for their cotton and rice fields they would do so. But many things stood in the way of employing free labor in the South. Freemen

were hard to get, for they did not care to work with slaves. The "poor whites" of the South would not work side by side with the blacks; much less would sturdy workmen come down from the North and do so. If free labor was to be employed at all it would have to supplant slave labor entirely. Such a substitution would mean that all the slaves would have to be freed, and in universal emancipation the planters saw great danger. They felt that to let loose three millions of free negroes in the South would result in chaos. In whatever way, therefore, the planter looked at the matter he was constrained to believe that it was best for him to hold on to his slaves and that slavery was an institution which was absolutely necessary for the industrial prosperity of the South.

The planter saw nothing selfish or sectional in this attachment to slavery, for he contended that the whole country shared in the benefits which flowed from the labor of the slaves. "Upon the South, as upon the strong arm of a brother," said B. F. Stringfellow, "so long as negro slavery exists, the North can rely; it will furnish materials for its workshops, a market for its manufactures; wealth to its capitalists, wages to the laborers." "To the institution of domestic slavery," said Governor Quitman of Mississippi, "is attributed as much as to any other single cause the rapid advance of our country in its career of prosperity, greatness and wealth." In this contention the South was right; every part of the Union in 1850 was sharing in the prosperity that flowed from the labor of slaves. Slaves were raising the cotton that was used in Northern mills by manufacturers who were growing rich. Slave labor was the chief support of the foreign and the coasting trade that was making flourishing cities of Boston, New York, and Philadelphia. It was the labor of slaves that provided a market for the surplus produce of the West.¹ Thus when viewed broadly in its economic bearings it would seem that the nation taken as a whole could have no quarrel with slavery.

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National
Prosperity
and Slavery

Suggested Readings

Cotton and slavery: Bogart, pp. 133-140.

The "underground railroad": Rhodes, Vol. II, pp. 74-77, 361-362.

The slave-trade: Rhodes, Vol. II, pp. 367-372.

The plantation system: Bogart, pp. 296-300.

Phillips, U. B., "American Negro Slavery."

¹ See p. 302.

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SLAVERY AN OVERSHADOWING ISSUE

“FIVE BLEEDING WOUNDS”

WHEN President Taylor entered upon his duties in March, 1849, a national crisis was impending. Thanks to the Wilmot Proviso and to the discussions revolving around it, the slavery question had been brought to the forefront of politics and was demanding a solution with an insistence that augured ill for the Union. “At this moment,” said Clay, describing the excitement over slavery extension, “we have in the legislative bodies of this capitol and in the States twenty odd furnaces in full blast, emitting heat and passion and intemperance, and diffusing them throughout the whole extent of this broad land.” Webster, too, felt that the situation was full of danger. “The imprisoned winds,” he exclaimed, “are let loose. The East, the North, and the stormy South combine to throw the whole sea into commotion, to toss its billows to the skies and disclose its profoundest depths.”

California

New Mexico

Texas

Slavery in
the District
of Columbia

The questions demanding settlement were five in number—“five bleeding wounds,” Clay called them. First there was California. Should it come in as a free State or as a slave State? Secondly, there were the Territories, New Mexico and Utah. In providing governments for these should the principle of the Wilmot Proviso be applied and slavery be excluded, or should slavery be allowed? Thirdly, there was the question of the boundary of Texas. That State was claiming a substantial portion of New Mexico and threatening trouble if her claims should be denied. Should these claims be recognized or would the Texans have to be content with the territory they actually held? Fourthly, there was the question of slavery in the District of Columbia. Washington had become the center of a flourishing traffic in slaves. Dealers led their slaves through the streets of the city in gangs. Slave-shambles and auction-blocks were visible from the dome of the Capitol. There was a demand that slavery in the district be abolished. Here the power of Congress was full and absolute. How would it use

that power? Would it suppress slavery in the district, or would it leave it undisturbed?

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The fifth "bleeding wound" was the inefficiency of the existing Fugitive-slave Law. This law, enacted in 1793,¹ was losing its effectiveness, because the abolitionists were assisting in the escape of runaway slaves. If the runaway could reach Pennsylvania or Ohio he had a good chance of meeting some officer of the so-called "underground railroad," a secret organization composed mainly of abolitionists whose purpose was to prevent fugitive slaves from falling into the clutches of their masters. The railroad nearly always led to Canada where slavery was illegal. If a master could overtake a runaway anywhere in the United States he could seize the fugitive and take him back home, but if the runaway could once get his foot on Canadian soil he was safe. When taken in charge by the underground railroad the fugitives were passed along from place to place in secret ways and by devious courses. "Forty-seven slaves," said one of the conductors of the underground railroad, "I guided toward the north star. I piloted them through the frosty north mostly by night: men dressed in women's clothes, and women dressed in men's clothes; on foot and on horseback, in carriages, under loads of hay." In one instance the runaway was nailed up in a box and shipped as freight. Men of reputation engaged in this work. Theodore Parker and Thurlow Weed were among the conductors of the underground railroad. The result of their subterranean activities was to irritate the South and to cause masters to lose many valuable slaves. It has been estimated that between 1830 and 1850 as many as 50,000 slaves were spirited away beyond danger of recapture by the services of the underground railroad. The South, therefore, demanded a new Fugitive-slave Law, one that would enable the master to retake his runaway slave in spite of the abolitionists and the underground railroad. Would Congress pass such a law or would the masters have to be content with the existing statute?

The
Under-
ground
Railroad

On every one of these questions the division of opinion ran along sectional rather than party lines. It was not Whig against Democrat, but free States against slave States, the North against the South. The North desired the admission of California, for she was sure to come in as a free State.² Just because she would come

Tipping
the Scales
Against
the South

¹ See p. 241.

² See p. 355.

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in free the South opposed her admission. With California in the Union there would be sixteen free States and fifteen slave States, and the balance of power between the two sections would be disturbed; the scales would tip against the South. "The admission of California," said Calhoun, "will be the test question. If you admit her, it will be notice to us that you propose to use your present strength and to add to it with the intention of destroying irretrievably the equilibrium between the two sections."

Hemming
in Slavery

But sharper than the differences of opinion about California were those about New Mexico and Utah. Slavery in those Territories was already prohibited at the time of their acquisition, and the North demanded that the prohibition be made permanent. This was like slapping the South in the face, for it was like saying to her that not a single slave State should be carved out of the vast territory acquired from Mexico. It was like saying to slaveholders that slavery henceforth must forever be hemmed within its present boundaries. If they were shut out of California and New Mexico and Utah, into what new land would it ever be possible for them to go with their slaves?

The Texas boundary question raised the same issue of slavery extension. If the land claimed by Texas should be adjudged as belonging to her it would at once become slave territory; if it were left a part of New Mexico, its status could still be determined by Congress. The South accordingly was on the side of Texas, while the North opposed her claims.

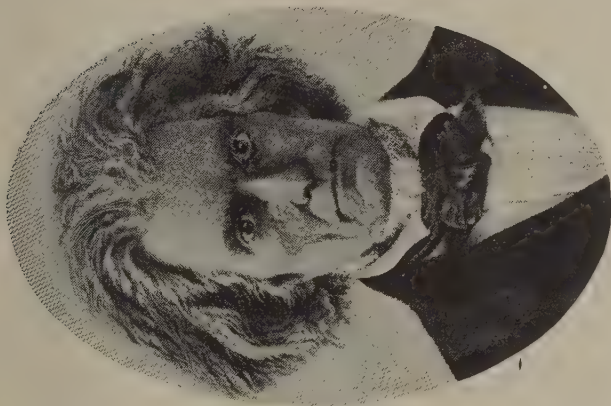
A National
Scandal

The question of slavery in the District of Columbia was one that came close to the very doors of Congress, and was one that in the opinion of many members imperatively demanded settlement. Northern members would abolish slavery in the district, because they regarded its existence there as a national scandal. Southern members did not wish it disturbed, for they felt that to abolish slavery in the district would be to make an unnecessary attack upon this institution and to offer a direct insult to the South.

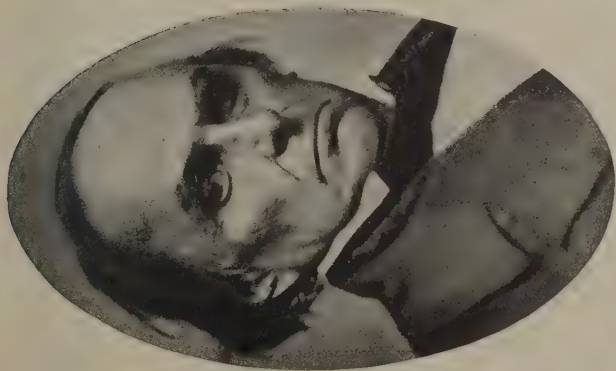
And so it was in respect to a new fugitive-slave law: the North was on one side of the question, the South on the other. The existing law, said the North, was adequate and should remain unchanged. The South demanded a new and more stringent statute and threats were made that if the North did not deliver up fugitive slaves the Southern States would by way of retaliation pass laws to prevent the sale of Northern products in Southern States.



H. Clay



J. C. Calhoun



D. D. Webster

Such were the issues which confronted Congress in December, 1849. As it happened, this Thirty-first Congress was composed of a greater number of able and brilliant lawmakers than have assembled in Washington in any other Congress before or since that time. Clay and Webster and Calhoun were there with all their prestige and power. For thirty years and more these three men had stood at the helm, and now at the most critical juncture of their public career they appeared together for the last time. Among other statesmen of the older generation were Benton and Cass, leaders whose services had been hardly less distinguished than those rendered by the great triumvirate. In this Congress also were many of the younger men who were presently to step forward as the leaders of the coming time. Foremost among these were William H. Seward, Stephen A. Douglas, Salmon P. Chase, and Jefferson Davis.

CHAP.
XIXA Brilliant
Body of
Lawmakers

To this Congress of giants President Taylor submitted a plan for dealing with the difficult and delicate questions that were to be taken up. Wishing to go slowly and not press all the issues at once, he advised Congress to admit California and suspend action in respect to New Mexico and Utah until such time as the people of those Territories should frame their constitutions. But the Southern leaders would have nothing to do with this plan, for they saw in it the probable grafting of the Wilmot Proviso into the forthcoming State constitutions by the will of the settlers. Clay opposed the President's policy because he believed it fell short of the requirements of the situation. "What is the plan of the President?" he asked. "Is it to heal all these wounds? No such thing. It is to heal only one of the five and to leave the other four to bleed more profusely than ever by the sole admission of California, even if it should produce death itself." Taylor urged his policy with all his might, but the might of the executive at this period was not what it was to become in later days. The Presidential scheme made but little headway. Congress was in a mood to assume full responsibility and meet the crisis in its own way.

Taylor's
Plan

THE COMPROMISE OF 1850

Upon the questions at issue the two branches of Congress were divided. The majority in the House was against slavery extension, while in the Senate a majority could be mustered in favor of ex-

Compro
mise
Necessary

tension. If, therefore, there was to be action at all there must be a compromise. As was to be expected the man who undertook to effect a compromise was Clay, then a member of the Senate. The task was congenial to the great Kentuckian. To his mind compromise was one of the "white virtues." "I go," he said, "for honorable compromise whenever it can be made. All legislation, all government, all society, is formed on the principle of mutual concession, politeness, comity, courtesy; upon these everything is based. I bow to you to-day because you bow to me. You are respectful to me because I am respectful to you. Compromises have this recommendation, that if you concede anything, you have something conceded to you in return. Let him who elevates himself above humanity, above its weaknesses, its infirmities, its wants, its necessities, say, if he pleases, I will never compromise, but let no one who is not above the frailties of our common nature disdain compromise."

Clay's Plan

In this spirit of give and take Clay came forward in January, 1850, with a set of resolutions, the declared purpose of which was "to settle and adopt amicably all existing questions of controversy arising out of the institution of slavery, upon a fair, equitable, and just basis." The main features of Clay's plan were:

First, to admit California with her constitution forbidding slavery—a concession to the North.

Secondly, to give New Mexico and Utah Territorial governments providing that when ready for statehood the Territories should be admitted into the Union with or without slavery as their constitutions might prescribe at the time of their admission—a sacrifice of the Wilmot Proviso and therefore a concession to the South.

Thirdly, to establish a boundary line between Texas and New Mexico which should yield slightly to the demands of the former, at the same time paying her a money indemnity for the extinction of her claims to the rest of the territory—a concession to the South.

Fourthly, to prohibit the *slave-trade* in the District of Columbia—a concession to the North.

Fifthly, to declare that it was inexpedient to abolish slavery in the district without the consent of Maryland—a concession to the South.

Sixthly, to enact a more stringent and effectual fugitive-slave law—a concession to the South.

Such was Clay's plan of compromise. The debate which followed lasted from January to October. Clay, now in his seventy-fourth year and sometimes so ill that he could hardly drag his tottering frame to the Senate-chamber, made speech after speech in defense of his scheme. Calhoun, also greatly enfeebled in body, was too ill to speak. He appeared in the Senate, however, and had his speech read for him by Senator Mason of Virginia. As the reading proceeded the gaunt and haggard old man anxiously watched the effect of his words upon the faces of those around him. "There he sat," says Schurz, "the old champion of slavery, himself the picture of his doomed cause—a cause at war with the civilization of the age—vainly struggling against destiny—a cause which neither union nor disunion, neither eloquence in council, nor skill in diplomacy, nor bravery in battle could save."

Calhoun opposed Clay's plan. He believed it to be wholly unconstitutional. Congress, he contended, had no right under the Constitution to keep slavery out of California or any other Territory; slavery being a domestic institution with which the Federal Government had nothing whatever to do except to make regulations regarding fugitive slaves. He opposed the plan also because he believed it would be ineffectual. The South, he said, would be so highly displeased with the compromise measures that she would withdraw from the Union. He did not want secession, but he feared it. His remedy for disunion was for the North to give the South an equal right in newly-acquired territory, give it an effectual fugitive-slave law, cease agitating the slavery question, and restore the balance of power between the North and the South by amending the Constitution so as to provide for two Presidents, one for each section, and each having a veto. "If you of the North will not do this," he said, "then let our Southern States separate and depart in peace."

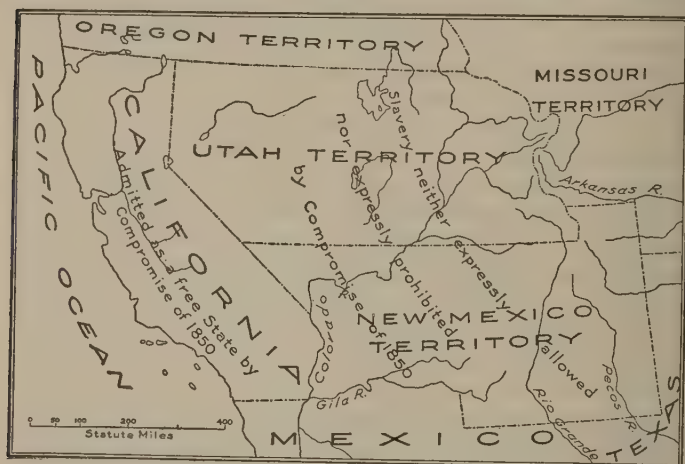
The third member of the great triumvirate spoke on March 7, delivering a speech that made the day famous. Webster declared in favor of Clay's plan. He believed the Union was in danger and that it could be saved only by compromise. "I wish to speak," he said, "not as a Massachusetts man, not as a Northern man, but as an American. I speak to-day for the preservation of the Union." Never was a speech more severely condemned than this Seventh of March Speech of Webster's. The antislavery people felt that they

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Calhoun

Webster's
Seventh of
March
Speech

had been betrayed; that their great leader had deserted them in order to curry favor with the South. They could be pardoned for their resentment, for the tone and bias and coloring of the speech were deeply exasperating to all Northern people who cherished antislavery sentiments. Theodore Parker said: "I know no deed in American history done by a son of New England to which I can compare this but the act of Benedict Arnold. The only reasonable way in which we can estimate this speech is as a bid for the Presidency." "Webster," said Horace Mann, "is a fallen star! Lucifer descending from heaven!" But no other speech, perhaps, had



Results upon slavery of the Compromise of 1850

greater or more direct results, for it was Webster's support that brought success to Clay's plan. "Webster's influence," says Rhodes, "was of the greatest weight in the passage of the compromise measures, and he is as closely associated with them as is their author. Clay's adroit parliamentary management was necessary to carry them through the various and tedious steps of legislation. But it was Webster who raised up for them a powerful and much needed support from Northern public sentiment."

As the compromise threaded its way through the mazes of legislative procedure it was resisted at every step by the President. But in midsummer General Taylor died. On the fourth of July he imprudently exposed himself to the sun. A fever ensued and on

July 9 he passed away—"the type of a brave officer whose work was unfinished." Vice-President Fillmore now became President. The new President was a close friend of Clay and was docile in the hands of party leaders. He made Webster his secretary of state and threw the influence of his administration on the side of the compromise. Clay now had smooth sailing. One by one the several parts of his plan became law; each part being enacted separately; and by the end of September, 1850, all his compromise measures—collectively known as the Omnibus Bill—had been passed and signed by President Fillmore.

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RESISTANCE AND ACQUIESCENCE

Politicians everywhere in the North and in the South did all they could to induce the people to accept the compromise measures as a finality. They proclaimed that the slavery question was settled for good and all and execrated the name of the man who should again open the issue. In many cases these appeals for finality were made in all sincerity and simplicity of purpose. "It is one of the enigmas of history," says R. G. Usher, "that men should delude themselves into the belief that the waters have been swept back with the broom of argument at just the moment when the tidal wave, as yet a tiny crest of white along the distant horizon, is rushing towards them with the speed of a race horse." Clay's compromise by averting the impending crisis brought a brief tranquillity to the country, but it was not a healthful quiet. Nobody was satisfied, not even the politicians themselves. It was in vain, therefore, that leaders attempted to suppress discussion and agitation. "To be told," said James Russell Lowell, "that one ought not to agitate the question of slavery when it is that which is forever agitating us, is like telling a man with the fever and ague on him to stop shaking and he will be better."

In the South the advocates of peace and harmony were able to secure at least a half-hearted acceptance of the compromise acts. In the North, however, the acceptance could hardly have been said to be even half-hearted. A large portion of the Northern people were thrown into a fury by the new Fugitive-slave Law. This statute denied the right of trial by jury to the fugitive claiming to be a free man; it excluded the testimony of the negro whose freedom was at stake; it imposed a penalty of fine and imprison-

Finality

A Harsh
Law

ment upon any person hindering the arrest of a fugitive or attempting to rescue and free from custody or aiding one to escape; it gave Federal commissioners the power to pass on the merits of cases instead of leaving this power with State officials; it gave the commissioner a double fee if he determined that the service of the negro was due the claimant; it provided—and this was one of its most objectionable features—that any citizen might be called upon to aid in enforcing the law: “and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required.”

Seward had warned the Senate that public sentiment in the North would not support the enforcement of the Fugitive-slave Law, and he was right. The revolt against the statute was widespread. “The act of Congress of September 18th, 1850,” said Ralph Waldo Emerson, “is a law which every one of you will break on the earliest occasion—a law which no man can obey, or abet the obeying, without loss of self-respect and forfeiture of the name of gentleman.” Antislavery people everywhere poured upon the law the vials of their wrath: it was unconstitutional; it was immoral; it was abhorrent to every instinct of justice; it was inhuman and diabolical. Leaders like Clay, Webster, Douglas, Cass, Choate, and Buchanan came out in defense of the law and urged upon citizens their duty to obey it, but in some places their counsel was received with defiance. Nevertheless, the efforts of these great men to persuade the people to accept the compromise as a finality were in the main successful. “In spite of the radicals the excitement in the North diminished and the people settled down to an attitude of sincere but reluctant acquiescence.”

It was a help to the politicians in their campaign for finality that they could divert the popular mind from the slavery controversy to foreign affairs. An opportunity came to Webster to fire the American heart with the historic Hülseman letter. In 1849, when the Hungarians were in revolt against their Austrian masters, President Taylor had sent an agent to Vienna to watch the course of events with a view of giving recognition to the new Hungarian government, if one should be established. Hülseman, the Austrian minister at Washington, remonstrated, his protest reaching Webster just after he had taken office as secretary of state. Webster replied in a letter defending our right to take an interest in the extraordinary events which were occurring in Austria and other parts of

Europe, and declaring that although the United States had at all times abstained from interfering with the political changes in Europe it could not fail to cherish always a lively interest in the fortunes of nations struggling for institutions like their own. In the letter was this sentence: "The power of this republic, at the present moment, is spread over a region one of the richest and most fertile on the globe, and of an extent in comparison with which the possessions of the House of Hapsburg are but as a patch on the earth's surface." Webster himself acknowledged that the letter was "boastful and rough," but he excused its spread-eagle tone on the ground that he wished "to touch the national pride and make a man feel sheepish and look silly who should speak of disunion."

Another event that caused men to forget the slavery troubles was the furor that was kindled by the arrival of Louis Kossuth, the leader of the Hungarian revolt. The movement for the independence of Hungary had ended in failure, and Kossuth as an exile found his way to America. Coming as a national guest he was received everywhere with unbounded enthusiasm. It was his hope that he would be able to persuade the United States to intervene in behalf of Hungary. But in this he was disappointed. He was received at Washington by Congress and the President with every mark of respect and sympathy; but further than this officialdom could not see its way to go. To intervene, leaders said, would be to abandon our long-cherished policy of non-intervention in European affairs. "Far better it is for us," said Clay to Kossuth, "for Hungary, and for the cause of liberty, that, adhering to our wise and pacific system, and avoiding the distant waters of Europe, we should keep our lamp burning brightly on this western shore as a light to all nations, than to hazard its utter extinction amid the ruins of fallen and falling republics." When Kossuth left the country in the summer of 1852, all he could take with him was the country's sympathy and a small sum of money.

While Kossuth was touring the country in behalf of Hungary, politicians were planning for the great quadrennial game. The Democrats in 1852 nominated Franklin Pierce of New Hampshire as their candidate for President. Pierce was a man of "amiable mediocrity" and negative qualities. His critics sometimes said in a jocular way that there was not enough positiveness in his character to enable him to refuse a drink. Yet he was brave and handsome; his enemies were few; his manners were graceful and

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winning. On the subject of slavery and freedom his opinions were unknown, although there was a rumor that he once said that he did not like the Fugitive-slave Act. He was, therefore, an ideal candidate for the Democrats, who went into the campaign with no program of positive action. The Whigs nominated General Winfield Scott, preferring a military hero to the civilians, Fillmore and Webster, both of whom aspired to the nomination. Scott was a colorless, non-committal candidate. No one knew what he thought about the compromise acts, and the Whigs were careful that the public should be kept in the dark on that point. The Whigs and Democrats, indeed, vied with each other in keeping the slavery question in the background, and in asseverating their entire satisfaction with the compromise measures. Of course under such circumstances the canvass could be only a dull and listless affair. The Democrats, however, succeeded in winning the business interests to the side of Pierce and he was elected by an overwhelming majority. Scott carried only four States. The Whig party received a blow from which it never recovered.

Clay and
Webster
Pass Away

Before the end of the campaign both Clay and Webster were dead. Clay was on his death-bed when the Whig convention was in session, and within a fortnight after its adjournment he passed away. His life had been a long struggle for the Presidency; and while he failed to secure the prize, he won the affection of the American people. "Other Americans have been intellectually greater," says Rhodes, "others have been more painstaking, others still have been greater benefactors to our country, yet no man has been loved as the people of the United States loved Henry Clay." Webster survived Clay only four months. Webster, too, had sought the Presidency long and eagerly, and his last defeat at the Whig convention was more than his proud spirit could bear. "He was stunned, bewildered, unable to carry on his public tasks at the usual place with the customary composure. He sought the refuge of his lovely home near the resounding surf, there to lay down and die. Yet had Webster won the Presidency he could have added little to his fame and glory."

THE REPEAL OF THE MISSOURI COMPROMISE

With the election of Pierce the country tried to make itself believe that slavery agitation was at an end. But the country was now a ship in a storm, and it was of no use for the passengers to meet in

"Uncle
Tom's
Cabin"

the cabin and resolve it was fair weather. In spite of the campaign for "finality," the agitation went on. Millions of tongues were set in motion and millions of consciences were stirred by Harriet Beecher Stowe's "Uncle Tom's Cabin," which appeared in book form during the campaign of 1852. This story of slave life touched the heart and brought tears to the eyes. The book was written in a most charming style, and it held the reader spellbound. One woman said she could no more leave the story than she could leave a dying child. "Uncle Tom's Cabin" was fiction, it is true, and it drew an unfair picture of slave conditions, yet it left upon the minds of its Northern readers the indelible impression that slavery was cruel, brutal, and unjust. The book doubtless had little effect upon the election in 1852, yet countless thousands of impressionable boys who read it that year were voters in 1856 and 1860.

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Not only did writers and incorrigible agitators like Garrison and Phillips continue to disturb the political waters, but even the responsible leaders themselves would not let the subject of slavery rest. Foremost among the disturbers was Stephen A. Douglas. This son of Vermont made his way while yet a boy to southern Illinois, where he was admitted to the bar before he reached manhood. High-strung and ambitious almost beyond the bounds of reason, he climbed the ladder as fast as his restless and indomitable energy could lift him from one rung to another. At twenty-two he was elected to the office of State's attorney; at twenty-three was a member of the State legislature; at twenty-eight, a judge; at thirty, a member of the national House of Representatives; at thirty-three a United States senator. A short body—he was hardly five feet tall,—a head of tremendous size, and great intellectual power combined to gain for him the title of the Little Giant. In his manners and personal appearance he was outlandishly grotesque. John Quincy Adams in his diary gives the following pen-picture of the Little Giant as he appeared when making a speech on the floor of the House of Representatives: "His face was convulsed, his gesticulation frantic, he lashed himself into such a heat that if his body had been made of combustible matter it would have burnt out. In the midst of his roaring, to save himself from choking, he stripped off and cast away his cravat, unbuttoned his waistcoat, and had the air and aspect of a half-naked pugilist." Yet this stormy Little Giant was a prince of politicians and the shrewdest parliamentary leader in Congress.

Stephen A.
Douglas

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XIXThe
Nebraska
Country

The bomb which Douglas caused to explode was a bill which he brought into the Senate in 1854 for the organization of the Nebraska country, a region which comprised what are now the States of Kansas, Nebraska, North Dakota, South Dakota, Montana, and parts of Wyoming and Colorado. For nearly ten years he had been trying to secure a settled government for this "no-man's-land," but Congress had refused to act. By 1854 the question of a Territorial government for Nebraska had become entangled with a number of other questions—Indian titles, land grants, transcontinental railroads, Missouri factional quarrels. The thing that worked most strongly against the organization of Nebraska was the fact that it lay north of the parallel of 36° 30' and was, therefore, by the terms of the Missouri Compromise, closed against slavery. In western Missouri there was a vigorous pro-slavery party led by Senator David Atchison, which stood ready to prevent the creation of free States north of the compromise line. To meet this opposition Douglas in 1854 offered a bill providing that the Nebraska country should be organized into two Territories, Kansas and Nebraska; that the Missouri Compromise should be formally repealed; and that the settlers in each of the new Territories should determine for themselves whether they should have slaves or not.

The Kansas-
Nebraska
Bill

This measure—known as the Kansas-Nebraska Bill—was the boldest that had ever been offered to the American Congress. To repeal the Missouri Compromise and throw open to slavery the vast region that had been reserved for freedom was to the minds of most Northerners nothing less than a violation of a sacred compact. Why did Douglas make this extreme and unexpected move? Some historians explain his action by ascribing to him the motives of a "railroad senator." "Douglas," says Max Farrand, "was a great believer in extending the railway facilities throughout the West. . . . To advance the railroads farther into the West they must be built through the Indian country, the title to which had to be extinguished and the land taken under government control. This could be done by the creation of new Territories, and Douglas accordingly introduced a bill for erecting the country just west of Missouri into the organized Territories of Kansas and Nebraska. If there were any political motives involved as commonly charged, they would seem to have been subordinate to the purpose of railway extension." But this railroad theory of the Little Giant's motives would have failed to satisfy his contemporaries: they almost to a

man believed that Douglas was playing politics, and nothing else; that he had offered the bill as a bid for the support of the South in the coming election. Nor does it satisfy all of the historians. "It may with confidence," says J. F. Rhodes when discussing the motives of Douglas in offering the bill, "be affirmed that this action of the Illinois senator was a bid for Southern support in the next Democratic convention." Douglas himself, of course, disavowed all selfish motives in the matter. He knew, he said, that he was doing a very unpopular thing, and one that might end his political career, but, acting under the sense of duty which animated him, he was prepared to make the sacrifice.

In support of his bill Douglas urged the democratic doctrine of popular or "squatter sovereignty": the people of each Territory were to vote on the question of slavery; if the majority was in favor of slavery it was to be a slave Territory, but if the majority was unfavorable to slavery it was to be a free Territory. The act itself declared that its true intent and meaning was "not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." This provision, it will be observed, was almost precisely what had been ordained for New Mexico and Utah in the compromise of 1850.¹

The act in its final form expressly declared the Missouri Compromise "inoperative and void." Here was a gift to slavery that surprised even the pro-slavery men themselves, for the most ardent of them had not hoped for the repeal of the Missouri Compromise. And few of them had asked for so great a concession. Yet since the gift was proffered by Northern hands the South could not be expected to refuse it. "When one Northern senator put on the saddle, and another the bridle, while a Northern President obsequiously offered the stirrup, Southern chivalry acted by its instincts when it bestrode the steed to ride it."

Douglas was thoroughly in earnest and he managed the bill in an adroit and successful manner, pushing it through with whip and spur. When the time came to vote he was assisted by Southern Whigs and about half of the Northern Democrats. Southern Democrats, of course, were only too glad to seize such a magnificent opportunity for slavery extension. The South flew to the bill as a moth to a candle. In the Senate the measure passed by a vote of

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"Squatter
Sovereign-
ty"

The
Missouri
Compro-
mise
Repealed

¹ See p. 382.

thirty-five to twelve; in the House by a vote of 113 to 100. In the Senate twenty-eight Democrats and nine Whigs voted for the bill and five Democrats and seven Whigs against it. In the House forty-four Northern and fifty-seven Southern Democrats and twelve Whigs from the slave States voted for the bill; against it were forty-five Whigs and forty-two Democrats from the North and two Democrats and seven Whigs from the slave States. The vote showed that on the slavery question the Whigs of the South were ready to break away from those of the North. "What you have so long wished for," wrote Seward to his wife, "has come around at last. The Whigs of the North are separated from the Whigs of the South, and happily by the act of the latter, not the former." Thus the Missouri Compromise was repealed, and it seemed that the agitation begun in 1846 by Wilmot in favor of restricting slavery was only to end in an enormous extension of territory into which masters might lawfully take their slaves.

The Kansas-Nebraska Bill was more pregnant with results than any measure that had ever been passed by Congress. It threw the whole country into a ferment of excitement and set in motion a train of events which led to a civil war. Its immediate effect was to bring slavery extension to the front and make it an overshadowing issue, one that would have to be taken up and dealt with in definitive fashion. Hitherto there had been compromise and shuffling and evasion, but now men were compelled to take sides; every man in the land had to decide whether he was for the extension of slavery or against it. "The bill annuls all past compromises with slavery," said Sumner, "and makes all future compromises impossible. Thus it puts freedom and slavery face to face and bids them grapple."

¹The pro-slavery leaders were now entertaining hopes that Cuba might be annexed and made a field for the further extension of slavery. In the early fifties filibustering expeditions fitted out in the United States were sent against Cuba with the result that the island was kept in a state of turmoil. The remedy proposed by Southern leaders for the troubles in Cuba was annexation. In 1854 our ministers to Great Britain, France, and Spain met at Ostend and drew up what was known as the Ostend Manifesto. This in effect declared that Spain ought to sell Cuba to the United States; that Cuba was necessary for the safety of slavery in the Southern States; and that if Spain should refuse to sell, self-preservation required that it be wrested from her by force. The declaration, however, was not generally supported by public opinion in the United States, and it was strongly condemned in Europe. The movement for annexation was accordingly dropped and the Ostend Manifesto came to naught.

Suggested Readings

- Wilmot Proviso: McMaster, Vol. VII, pp. 480-488.
Administration of Zachary Taylor: Schouler, Vol. V, pp. 129-187.
Compromise of 1850: Schouler, Vol. V, pp. 167-212.
Webster's seventh of March Speech: McMaster, Vol. VIII, pp. 23-27.
Democrats reunited: Stanwood, Vol. I, pp. 244-257.
Underground railroad: Siebert, W. H.

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THE RISE OF THE REPUBLICAN PARTY

THE BEGINNING OF THE REPUBLICAN PARTY

Resentment
in the North

SUMNER was right; the passage of the Kansas-Nebraska Bill marked the end of compromises and the beginning of a death struggle between the enemies and friends of slavery. No sooner was the obnoxious measure spread upon the statute-book than a deep-seated and implacable resentment was everywhere manifest in antislavery circles. The censure visited upon the author of the bill exceeded the bounds of moderation. Douglas said he could travel by the light of his own burning effigies from Boston to Chicago. The displeasure of the antislavery people assumed a variety of forms. In many places retaliation was resorted to. Feeling that the repeal of the Missouri Compromise was an act of bad faith, the radical antislavery men gave a return blow by renewing their fight against the Fugitive-slave Law of 1850. In Boston leading citizens resisted in a violent manner the attempts of United States officers to recapture runaway slaves. In Rhode Island, Connecticut, and Michigan the resistance virtually took the form of nullification, for in these States were enacted personal-liberty laws, which provided that State jails should not be used for detaining fugitives; that negroes who were claimed as slaves should be entitled to the benefits of the writ of habeas corpus and of trial by jury; and that the seizure of a free person with the intent of reducing him to slavery should be punished by fine and imprisonment. Another effect of the Kansas-Nebraska Law was to spur the abolitionists to greater activity and increase their numbers. "Pierce and Douglas," said Horace Greeley in May, 1854, "have made more abolitionists in three months than Garrison and Phillips could have made in a century." The repeal of the Missouri Compromise threw Garrison into a frenzy of dissent. He felt that the slaveholders had won a complete triumph and that the time had come for the North to break away from the South. "There is," said his "Liberator," "but one honest, straight-forward course

to pursue if we would see the slave power overthrown; the Union must be dissolved.” To show his disgust with constituted law and authority he publicly burned the Fugitive-slave Law and the Constitution of the United States at a meeting of abolitionists which was held at Framingham, on July 4, 1854.

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The more judicious opponents of the Kansas-Nebraska Act wanted no violence or secession. Responsible leaders believed that if the advance of slavery was to be checked the antislavery sentiment of the North must be united and a new party organized. “Only in one way,” says Francis Curtis, “could the further progress of the evil be averted, and that was through the organization and development and power of a great political party which must sweep almost the entire North in order to outvote the now solid South, and pass laws which would arrest and check, if not overthrow, the power that now seemed almost irresistible.”

The
Republican
Party
Organized

Such a party was not long in forming. Indeed, antislavery sentiment began to crystallize while the Kansas-Nebraska Bill was still pending in Congress. In March, 1854, a meeting of citizens of all parties was held in a school-house at Ripon, Wisconsin, and at this meeting it was recommended that a new party be organized on the issue of slavery extension. The idea spread, and within a few months the ball was set rolling. In July, 1854, several thousand citizens of Michigan assembled in an oak grove on the outskirts of the town of Jackson and resolved that they would act faithfully in unison to oppose the extension of slavery and would continue the battle until the contest was terminated. The new party was christened “Republican.” “Call it Republican, no prefix, no suffix, but plain Republican,” was the advice of Horace Greeley. The Jackson meeting, besides adopting a platform of principles, nominated candidates for State offices. The example of Michigan was followed in other States, and when the autumn elections of 1854 were held there were Republican tickets in the field in Wisconsin, Massachusetts, Vermont, and Maine. In Wisconsin and Michigan the Republicans were successful. Thus within a few months after the Missouri Compromise was repealed a new party was gathering strength to resist the extension of slavery.

“BLEEDING KANSAS”

Events in the West gave the Republicans at the outset a definite concrete issue. As the Kansas-Nebraska Bill had made the soil of

A Concrete
Issue

Kansas a prize to be contended for by the forces of slavery and the forces of freedom, the struggle began the moment the gauntlet was thrown down. That it would be a bitter struggle was foretold by Seward when he exclaimed: "Come on then, gentlemen of the slave States! Since there is no escaping your challenge, I accept it on behalf of freedom. We will engage in competition for the virgin soil of Kansas, and God give the victory to the side that is stronger in numbers as it is in the right."

Emigrants from Arkansas and Missouri rushed into Kansas with the purpose of making it a slave State; emigrants from the North rushed to the new Territory determined to make it a free State. In the race the slave State people at first had the advantage, for, being closer to the scene, they could cross over the Missouri line and take possession at once. But this advantage was quickly offset by the activities of the Emigrant Aid Society, which was organized in the North for the express purpose of hurrying settlers into Kansas. Whether starting from the North or the South the Kansas-bound emigrants went out as crusaders in a cause rather than as pioneers seeking homes. "It is much better," said Eli Thayer, a leader of the Emigrant Aid Society, "to go and do something for free labor than to stay at home and talk of manacles and auction-blocks and bloodhounds, while deploring the never-ending aggressions of slavery." "I tell you," said Stringfellow, a leader of the pro-slavery faction, "to mark every scoundrel among you who is the least tainted with abolitionism and exterminate him. Neither give nor take quarter, as the cause demands it."

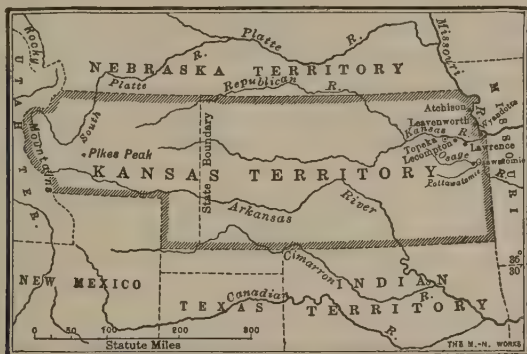
The slave State people settled along the Missouri River, founding the towns of Atchison, Leavenworth, and Lecompton. The free State people made settlements along the Kansas River, their principal towns being Topeka, Lawrence, and Osawatomie. The struggle for mastery began in earnest in March, 1855, when an election was held for a Territorial legislature. In this contest the pro-slavery men won, their victory being due largely to an organized band of Missourians who rode across the border on election day, cast their votes, and returned at once to Missouri. The free State men, attempting to ignore this election as fraudulent, proceeded to organize and set up an independent Territorial government of their own, planning to bring the new Territory into the Union as a free State. With this end in view they held a convention at Topeka in October, 1855, and drew up a constitution which prohibited slavery.

When this constitution was submitted to the voters of the Territory the pro-slavery men refused to take part in the voting.

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Violence
in Kansas

Here were the first-fruits of Douglas's plan of “squatter sovereignty”: two zealous and truculent factions, one trying to establish slavery in Kansas, the other to prohibit it. Violence and outrage followed almost as a matter of course. In May, 1856, the town of Lawrence was attacked by a mob of slave State men and destroyed. In revenge John Brown, with his four sons and three other men, went along the Pottawatomie Creek at midnight, dragged five pro-slavery men from their cabins, and killed them in cold blood. Fanatic that he was, Brown did this, it would seem, not



Scene of the Struggle in Kansas

from a spirit of animosity toward the particular men who were his victims, but from a sense of duty to his God. He felt that he was divinely commissioned to perform the bloody deed. “It has been decreed,” he said, “by Almighty God, ordained from all eternity, that I should make an example of these men.”

The violence that was rife in Kansas over the extension of slavery had its counterpart in the very halls of the national legislature. In the spring of 1856 the free State people were before Congress asking that Kansas be admitted as a State under the Topeka constitution. The debate on the question of admission was replete with bad humor and angry philippics. Senator Charles Sumner of Massachusetts “freed his mind with almost hyperbolic language in a speech as offensive and insulting to the South as the fertile imagination of the author could possibly make it.” A por-

The Attack
Upon Sena-
tor Sumner

tion of Sumner's speech was a vitriolic attack upon Senator Butler of South Carolina. Two days after this speech was delivered Butler's nephew, Preston Brooks, a member of the House of Representatives from South Carolina, entered the Senate chamber and with his cane beat Sumner until he was in an insensible condition. The House passed a resolution of censure upon Brooks. He immediately resigned, but was almost unanimously reelected by his district. The affair created a tremendous sensation. Congressmen now began to arouse themselves, preparing to meet violence with violence. The bill which was the occasion of the trouble—the one providing for the admission of Kansas under the Topeka constitution—failed of passage in July, 1856. In the House, where there was a good sprinkling of Republicans, the vote was in favor of admission. In the Senate, however, where the South was still in control, admission was refused.

The
Paramount
Issue in
1856

A Presidential campaign was now at hand and the paramount question was: Should Kansas be admitted as a slave State or as a free State? Never before had there been a Presidential election where the issue was so clear-cut and definite as that which was voted upon in 1856.¹ And never before had the situation of political parties been more complicated. There were Northern Whigs, Southern Whigs, Northern Democrats, Southern Democrats, and Republicans; Whigs in the North were going over to the Republicans; Whigs in the South to the Democrats. To add to the confusion a third party, which held its meetings in secret and threw around itself an atmosphere of mystery, was appealing to the people for support. This was an organization composed chiefly of members of the old Whig party and of discontented Northern Democrats and known as the Native-American or Know-nothing party.

The "Know-
nothings"

The Native-Americans were the first to name their candidate. In February, 1856, a Know-nothing convention met at Philadelphia, delegates from nearly all the States attending. Adopting a platform which blew hot and cold on the subject of slavery and which declared for "resistance to the corrupting tendencies of the Roman Catholic Church" and for the principle that "Americans only shall govern America," the convention nominated ex-President Fillmore for President. The attempt to befog the slavery issue resulted in disaster, for when the antislavery members found that

¹ The bank question in 1832 was perhaps as clear-cut but the personality of Jackson entered into the contest and blurred the issue.

the convention would not come out squarely against slavery extension many of them withdrew, and their withdrawal had the result of rending the new party in twain.

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In June the Democrats held their convention at Baltimore. Their problem was to name a man who would hold the Northern Democrats faithful to their party and who would also be acceptable to the South. Either Pierce or Douglas would suit the South, but both of these men had lost their popularity in the North, because both had advocated the Kansas-Nebraska Bill. Pierce and Douglas, accordingly, were denied the nomination. The most available man before the convention was James Buchanan of Pennsylvania. Buchanan found favor in the South, for he was a conservative, old-line Democrat of the Jackson school; he was not handicapped on the slavery issue, for during the Kansas controversy he had been absent in England and had not been obliged to take sides; he was strong in Pennsylvania, a State whose electoral votes would be greatly needed by the Democrats in the approaching election. Buchanan, therefore, after much balloting, was nominated. In their platform the Democrats stood by the Kansas-Nebraska Law, asserting the right of the people of the Territories, “acting through the legally and fairly expressed will of the majority of the actual residents and whenever the number of their inhabitants justifies, to form a constitution with or without slavery.”

The
Democratic
Nominee

The Republicans by this time had a strong organization and were ready to enter the Presidential race. They held their first national convention in Philadelphia. All the Northern States were represented, but there was no bona-fide delegation from any Southern State. The Republican candidate of 1856 was John C. Frémont, a young officer who had taken an active part in the conquest of California. The platform declared that it was the right and duty of Congress to prohibit slavery in the Territories and demanded the immediate admission of Kansas as a State of the Union with a free constitution.

The
Republican
Nominee

The election of 1856 was a contest in which passion burned fiercely, the events in Kansas supplying the fuel. The key-note of the campaign on the Republican side was struck by Seward in a great speech at Rochester. “It is,” said he, “an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation or entirely a free labor nation. . . .

The
Campaign
of 1856

I know and you know that a revolution has begun. I know and all the world knows that revolutions never go backward." In the North clergymen, professors in the colleges, the men devoted to literature and science, teachers in the schools, for the most part lined up with the Republicans. "The zeal of many preachers broke out in the pulpit, and sermons were frequently delivered on the evils of slavery, the wrong of extending it, and the noble struggle freedom was making on the plains of Kansas." In the South there were threats of secession in case the Republicans were successful. "The Southern States," said Governor Wise of Virginia, "will not submit to a sectional election of a Free-soiler or Black Republican." But the South at this time had no fears that the Republicans would win, for Buchanan had the support of the entire slaveholding class, while in the North the antislavery element was by no means entirely united against him. The result was a victory for the Democrats. Buchanan received 174 electoral votes and Frémont 114. The Republicans, however, received an enormous vote, the popular poll being 1,838,000 for Buchanan, 1,342,000 for Frémont, and 874,000 for Fillmore. Of the votes cast for Frémont nearly all came from the North. In the slave States he received virtually no votes at all. It was now plain to the minds of all men that the Republican party was to be a sectional party and that the slavery question was to be fought out in a bitter contest between the North and the South.

THE DRED SCOTT DECISION

The Slavery
Question
Not at Rest

No sooner was Buchanan inaugurated on March 4, 1857, than the slavery question suddenly took on a new complexion. Buchanan would fain have believed that this question was at rest. In his inaugural address, when touching upon the legal power of the inhabitants of a Territory to prohibit slavery, he said: "This is happily a matter of but little practical importance. Besides, it is a judicial decision which legitimately belongs to the Supreme Court of the United States, before whom it is now pending, and will, it is understood, be speedily and finally settled." The decision to which the President referred was the one rendered in the case of Dred Scott.

The Facts
of the
Dred Scott
Case

The facts in this celebrated case were clear and simple enough. Scott was a slave who had been taken by his master, first to Illinois, where slavery was prohibited by the Ordinance of 1787; then to

Minnesota Territory, where slavery was prohibited by the Missouri Compromise; and then to Missouri, a slave State. In Missouri Scott brought suit in court for his freedom on the ground that his residence in free Illinois and free Minnesota made him a free man. His case in course of appeal at last reached the Supreme Court of the United States and was decided by that tribunal two days after Buchanan was inaugurated, the decision being handed down by Chief Justice Roger B. Taney.

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The first question, and under ordinary procedure the only question, which the court had to decide was this: Was Dred Scott a citizen of the United States within the meaning of the Constitution and did he have any rightful standing in the Federal courts? To this question the court returned a flat negative: Scott, being a negro and a descendant of slave parents, could not be a citizen of the United States and could not therefore carry his suit into a Federal court. The case was accordingly dismissed for want of jurisdiction and the negro was remanded to slavery.

The
Decision

If the court had stopped with a simple dismissal of the case little would have been heard of it. But the court did not stop there. It went on to decide another question, namely: Was Congress authorized to pass the Missouri Compromise Act under any of the powers granted to it by the Constitution? To this question the court also returned a negative: Congress had no more right to prohibit slavery north of the line 36° 30' than it had to prohibit the carrying of horses or any other property into the territory north of that line. That is to say, the Missouri Compromise was unconstitutional and void.

The decision made a profound impression upon the public mind. It cut the ground from under the feet of the Republicans. It virtually said to them that even if they gained control of Congress they could not prevent the extension of slavery. For slavery now wore a new legal aspect: Congress was now stripped of every right and power in regard to the extension or restriction of slavery. If, after this decision, Congress should attempt to prohibit slavery in Kansas or anywhere else, whether in a State or in a Territory, its action would be void. Under the Constitution Congress could preserve and protect slavery but it was powerless to prohibit it. The decision accorded perfectly with the doctrine of Calhoun: slavery was a domestic institution wholly beyond the power or jurisdiction of the Federal Government. "The opinion of the court," says

The Effect
of the
Decision

Woodrow Wilson, "sustained the whole Southern claim. Not even the exercise of squatter sovereignty could have the countenance of law; Congress must protect every citizen of the country in carrying with him into the Territories property of whatever kind until such time as the Territory in which he settled should become a State, and pass beyond the direct jurisdiction of the Federal Government." The State and the State alone could allow or disallow slavery.

THE LECOMPTON CONSTITUTION

If Buchanan really believed that slavery agitation would be put to rest by the Dred Scott decision he was cruelly disappointed. At the assembling of Congress in December, 1857, he found the troublesome question still at the front. The pro-slavery people were now attempting to bring Kansas in as a slave State. But they could hardly hope to do this by fair means, for they were greatly outnumbered by the free State people. Slaveholders were reluctant to take their slaves into Kansas, for there was no certainty that slavery would be permanently legalized in the new State when it was admitted. At no time were there in Kansas more than two or three hundred slaves. But the pro-slavery men were bent on making Kansas a slave State, and in order to accomplish their purpose they resorted to trickery. They drew up at Lecompton a constitution and caused it to be submitted to the people for ratification. In the proposed constitution was this clause: "The right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same and as inviolable as the right of the owner of any property whatever." In voting upon the question of ratification the voter was asked to vote, not for or against the constitution, but *for the constitution with slavery* or *for the constitution without slavery*. If he voted at all he would have to vote *for the constitution* whether he liked it or not. Of course the antislavery people could not vote for a constitution which contained the objectionable clause just quoted. The free State men therefore refused to participate in the election, with the result that the pro-slavery men easily carried the day and the constitution *with slavery* was ratified.

President Buchanan now sent a message to Congress, in February, 1858, recommending the admission of Kansas as a slave State and declaring that the Lecompton constitution had been regularly

adopted. But powerful leaders in Congress refused to be partners in such questionable business. In both houses the proposed constitution was bitterly assailed. Douglas denounced it as not being the act of the people of Kansas or embodying their will. It was a trick, he said, and a fraud upon the rights of the people.

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The whole influence of the administration and every resource of patronage was brought to bear upon Congress to secure the admission of Kansas under the Lecompton constitution. The friends of the measure were successful in the Senate, but they were checked in the House. In order to break the deadlock a compromise was effected: it was agreed that Congress should offer to Kansas a conditional grant of public lands; if the land should be accepted by a popular vote Kansas was to be admitted to the Union with the Lecompton constitution; if the gift of land should be rejected Kansas was not to be admitted until the Territory had a population equal to the unit of representation required for the House of Representatives. The land was offered as a lure to induce voters to accept the constitution. But try as they might it seemed that the pro-slavery people could not bring Kansas in as a slave State. When the vote was taken upon the Lecompton constitution with the land clause attached both the constitution and the proffered land gift were rejected by an overwhelming majority. Kansas accordingly had to remain a Territory, and she was to be a slave Territory despite the wishes of her people; for it must be clearly understood that the Dred Scott decision legalized the slavery that existed in Kansas and gave it the full protection of the Constitution of the United States. What, then, became of the principle of "squatter sovereignty"?

The Failure
of the
Lecompton
Constitution

THE LINCOLN-DOUGLAS DEBATES

The question just asked was presently to perplex the great champion of "squatter sovereignty." When Douglas ventured to oppose the Lecompton constitution he gravely offended the administration. Buchanan withdrew from him all Federal patronage, and in many of the counties in Illinois anti-Douglas tickets were put up with the expectation of electing a legislature hostile to the Little Giant. When Douglas came up for reelection in 1858 he was accordingly forced to give an account of himself on the hustings. His rival for the senatorial honor was Abraham Lincoln, who came forward as the Republican candidate. Lincoln challenged Douglas

Lincoln and
Douglas
in Joint
Debate

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Lincoln's
Autobiog-
raphy

to a joint debate and the most remarkable forensic discussion in the history of American politics followed.

Compared with his great antagonist, Lincoln in 1858 was an obscure man. The story of his life up to this time has been told by himself in the following words: "I was born February 12, 1809, in Hardin County, Kentucky. . . . My father removed from Kentucky to what is now Spencer County, Indiana, in my eighth year. . . . There I grew up. There were some schools, so called, but no qualifications were ever required of a teacher beyond readin', writin', and cypherin' to the rule of three. Of course when I became of age I did not know much. I have not been to school since. I was raised to farm-work, which I continued until I was twenty-two. At twenty-one I came to Illinois, Macon County. Then I got to New Salem, where I remained a year as a sort of clerk in a store. Then came the Black Hawk War and I was elected a captain of volunteers, which gave me more pleasure than any I have had since. I ran for the legislature the same year [1832] and was beaten, the only time I was ever beaten by the people. In 1846 I was elected to the lower house of Congress. . . . I was losing interest in politics when the repeal of the Missouri Compromise aroused me again. What I have since done is pretty well known. I am in height 6 feet 4 inches nearly, lean in flesh, weighing on an average of 180 pounds, dark complexion with coarse black hair and gray eyes."

A "House
Divided
Against
Itself"

In the Lincoln-Douglas debates slavery was always the central theme. In a speech delivered in June, 1858, before the debate began Lincoln had said: "I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new—North as well as South." When the two leaders met in August at Ottawa where the debate opened, Douglas with powerful effect attacked this "house-divided-against-itself" doctrine. "Why can't the Union endure divided against itself into free and slave States? Why can't it exist upon the same principle upon which our fathers made it? Our fathers knew

when they made this government that in a country as wide and broad as this—with such a variety of climate, of interests, of production—the people necessarily required different local laws and local institutions in certain localities from those in other localities. They knew that the laws and regulations that would suit the granite hills of New Hampshire would be unsuited to the rice plantations of South Carolina. Hence they provided that each State should retain its own legislature and its own sovereignty with the full complete power to do as it pleased within its own limits in all that was local and not national. One of the reserved rights of the States was that of regulating the relation between master and slave, or the slavery question. At that time—that is, when the Constitution was made—there were thirteen States in the Union, twelve of which were slave States and one was a free State. Suppose the doctrine of uniformity—all to be one or all to be the other—now preached by Mr. Lincoln, had prevailed then, what would have been the result? Of course the twelve slaveholding States would have overruled the one free State and slavery would have been fostered by a constitutional provision on every inch of the American continent, instead of being as our fathers wisely left it, each State to decide for itself.”

In the course of the debate every phase of the slavery problem was presented to the audiences. Douglas had the advantage of education, oratorical skill, and personal magnetism. In the discussion of constitutional questions the Little Giant often rose superior to his antagonist. But when it came to the moral aspect of the problem the advantage was all with Lincoln. Douglas did not seem to care a rap for the morals of slavery, while Lincoln cherished a deep conviction that slavery was wrong. He hated slavery, he said, as much as any abolitionist. In the debate which was held at Quincy Lincoln pressed the moral phase of the subject. “Indeed, Judge Douglas,” he said, “has the high distinction, so far as I know, of never having said slavery is either right or wrong. Almost everybody else says one or the other, but the judge never does. . . . Whenever we can get the question distinctly stated, can get all those men who believe that slavery is in some of these respects wrong to stand and act with us in treating it as a wrong,—then and not till then, I think we will in some way come to an end of this slavery agitation.” Was slavery right or wrong? To the mind of Lincoln this was the real issue. “That is the issue which will

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the Morals
of Slavery

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XXLincoln's
Tolerance

continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world.”

In his speeches Lincoln refrained from bitterness and severity. Nothing could be kindlier or more tolerant than what he said to his audience at Galesburg. “I think I have no prejudice against the Southern people. They are just what we would be in their situation. If slavery did not now exist amongst them they would not introduce it. If it did now exist amongst us, we should not instantly give it up. This I believe of the masses of the North and South. . . . When Southern people tell us that they are no more responsible for the origin of slavery than we, I acknowledge the fact. When it is said that the institution exists, and that it is very difficult to get rid of it, in any satisfactory way, I can understand and appreciate the saying. I surely will not blame them for not doing what I should not know how to do myself. If all earthly power were given me, I should not know what to do as to the existing institution. . . . I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. I have no purpose to introduce political and social equality between the white and black races. . . . But I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence—the right to life, liberty, and the pursuit of happiness. . . . In the right to eat the bread without the leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man.”

The Result
of the
Debate

Douglas secured a majority in the legislature and thus won the senatorship, for senators at this time were elected by the State legislatures. Although he achieved a great personal triumph his victory had small political significance. The combined vote of the Lincoln candidates was 190,000 as against 174,000 for the avowed Douglas candidates. Douglas had the advantage of twelve hold-over Democratic State senators. When the legislature met in January fifty-four votes were cast for Douglas and forty-six for Lincoln.

The most important result of the debate was the fact that it brought Lincoln to the attention of the country, for the contest was watched with an interest that was nation-wide and the speeches

were published in full in many of the leading newspapers. By the time the debate was ended Lincoln had shown himself to be a man of such force and power that the people of the North had begun to regard him with favor as the leader of the Republican party.

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A RAID AND A BOOK

Events were now constantly tending to widen the gulf between the North and the South. The excitement aroused by the Lincoln-Douglas debates was followed by an episode which stirred the nation with a profound agitation. This was a raid led by the fanatical John Brown, whom we saw engaged in the Kansas struggle. With the purpose of inciting the negroes to rebel against their masters Brown on October 19 marched at night into Virginia with about twenty companions and seized the arsenal at Harper's Ferry. He managed to keep the village in a state of terror for a few hours but failed utterly in his efforts to stir the negroes to insurrection. As soon as the citizens awoke to the true situation an alarm was spread and fighting began. A few men on both sides were killed. The mayor of the village was shot and two of Brown's sons lost their lives. The insurgents were quickly surrounded by a small force of marines under Colonel Robert E. Lee. Brown was advised to surrender, but he refused, saying: "I prefer to die just here." He was captured and taken before the governor of Virginia and Colonel Lee and subjected by them to a cross-examination as to his intentions. He said, "We are abolitionists from the North, come to take and release your slaves." After a fair trial in the county court at Charlestown he was convicted of treason and murder, and was hanged. His end was one of singular dignity and manly fortitude. "The cry of the oppressed," he said in prison, "is my reason and the only thing that prompted me to come here. . . . I feel just as content to die for God's eternal truth on the scaffold as in any other way."

John Brown
Again

The raid was a miserable failure and in itself was indeed a small affair; but it created a tremendous sensation. In the South there was a paroxysm of terror. When the news spread that an attempt had been made to rouse and arm the slaves indignation ran high and there were loud cries for vengeance. In the North in the anti-slavery circles Brown's lawlessness was in a large measure forgotten and forgiven and the old man received the crown of martyr-

The
Crown of
Martyrdom

dom. Ralph Waldo Emerson when speaking of Brown to a Boston audience referred to him as "that new saint than whom none purer or more brave was ever led by love of men into conflict and death—the new saint awaiting his martyrdom, and who, if he shall suffer, will make the gallows glorious like the cross." And an immense concourse of people responded with enthusiasm to this sentiment.

The ferment of opinion caused by Brown's raid was made more tumultuous by the circulation of a remarkable book which now appeared. This was "The Impending Crisis" written by Hinton R. Helper of North Carolina. Helper's book was a scathing denunciation of slavery, but it was written from the point of view of the poor whites and not from that of the slave. The author's thesis was that slavery depressed and degraded the poor white man and enabled the slave-owners to profit at his expense. He presented an imposing array of statistics to show that slavery was unsound from an economic point of view. He demonstrated with figures that the abolition of slavery would result in improving the material interests of the South and that the poor whites would share in the prosperity. There would be schools for their children, as at the North, and they would rise in the social scale.

Helper, although a Southern man himself, earned the bitter condemnation of the slaveholders. "The volume," said a member of Congress, where "The Impending Crisis" created a commotion that almost bordered on violence, "riots in rebellion, treason, and insurrection, and is in precisely the spirit of the act which startled us a few weeks since at Harper's Ferry." As far as possible the sale of the book in the South was stopped. It enjoyed, however, a very wide circulation, and next to "Uncle Tom's Cabin" it was the most important literary contribution to the pending question.

THE ELECTION OF 1860

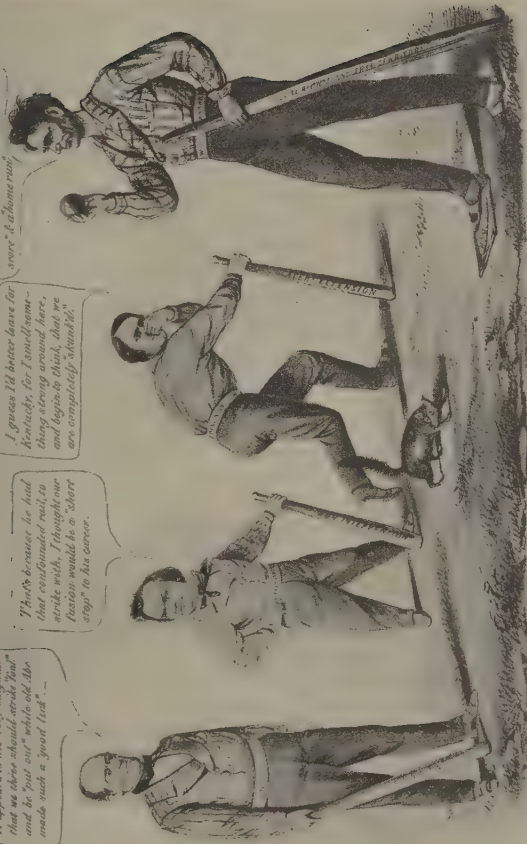
The great debate in Illinois, the John Brown incident, and Helper's book all worked together to focus the attention of men upon the slavery question and to make it the paramount issue in the election of 1860. On that issue the Democratic party found itself split wide open. When the national convention assembled at Charleston two factions were struggling violently for control—Northern Democrats and Southern Democrats. The Northern Democrats wanted Douglas as their candidate, but the Little Giant

It appears to me very singular
that we three should strike "out"
and be "put out" while old Ab-
raham made such a "good 'tude"...

"That's because he had
that contaminated rail, so
strike with, I thought our
fusion would be a "short
stop" to his career.

I guess I'd better leave for
Kentucky, for I understand
they're strong around here,
and begin to think that we
are completely "struck out."

Gentlemen, if any of you should
ever take a hand in another
madcap at this game, remember
that you are a "good 'tude"
strike a "put out" to such a "blat-
ant" "fichomerus!"



THE NATIONAL GAME. THREE "OUTS" AND ONE "RUN".
ABRAHAM WINNING THE BALL.

A CARTOON OF 1860

had lost caste with the slaveholders. In the debate with Lincoln he had said at Freeport that the right of the people to make Kansas a slave Territory or a free Territory was perfect. This admission had strengthened him in the North, for Northern Democrats stood firm for the principle of "squatter sovereignty" and upheld Douglas in his Freeport speech. The Southern Democrats stood just as firm for the doctrine laid down in the Dred Scott decision, a doctrine formulated in their platform in the following words: "Neither *Congress* nor a *Territorial* legislature, whether by direct legislation or legislation of an indirect or unfriendly character, possesses the power to annul or impair the constitutional right of any citizen of the United States to take his slave property into the common Territories and there hold and enjoy the same while the Territorial conditions remain." Yancey of Alabama in a remarkable speech voiced the cause of the South. Addressing his words to the Northern Democrats he charged that the rise of the Republican party was due to pandering by the Democratic party in the free States to antislavery sentiments. "If," he said, "you had taken the position directly that slavery was right and therefore ought to be, you would have triumphed and antislavery would now have been dead in your midst." The demand that Northern Democrats say that slavery was right was more than they could stand. "Gentlemen of the South," exclaimed Senator Pugh of Ohio, "you mistake us—you mistake us—we will not do it."

The proceedings of the convention soon disclosed fatal dissensions both about the adoption of a platform and the nomination of candidates. When defeated upon a resolution embodying the doctrine of the Dred Scott decision, most of the Southern members protested and withdrew. As it was now impossible to nominate a candidate under the two thirds rule, the convention adjourned to meet in Baltimore in June. In the meantime the Southern members who had withdrawn assembled in another hall in Charleston and drew up a platform to their liking. When the regular convention reassembled in Baltimore an attempt was made to secure harmony, but in vain; and two Democratic tickets were put in the field. The Southern Democrats nominated John C. Breckenridge of Kentucky and declared (1) that Congress had no right to abolish slavery in the Territories and (2) that a Territorial legislature had no right to abolish slavery in a Territory. The Northern Democrats nominated Douglas and declared for popular sovereignty. Thus the

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Platforms
and Two
Nominees

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great Democratic party, which had always been a compact national organization, became two sectional factions. Leaders were not blind to the meaning of the division. "Men," said Alexander Stephens, "will be cutting one another's throats in a little while. In less than twelve months we shall be in a war."

**The
Nomination
of Abraham
Lincoln**

Encouraged by the dissension in the ranks of the opposition the Republicans entered the campaign confident of success. They held their convention in Chicago in May. Their platform disavowed all sympathy with any form of interference with slavery already established in any State; it declared for the immediate admission of Kansas as a free State; it repudiated the Dred Scott decision as a "dangerous political heresy"; it favored a protective tariff; it demanded Federal aid in the construction of a railway to the Pacific. The most prominent candidate for the nomination at the opening of the convention was William H. Seward of New York. But as the prospect of Republican success was bright, other candidates pressed forward for the prize. On the third ballot Abraham Lincoln was chosen. When it was announced that "Honest Abe" was the nominee there arose in the convention hall and outside a cheering and a roar of voices like the breaking up of the fountains of the great deep; for the Western democracy was delighted beyond measure to know that there had been nominated for the Presidency a man who thirty years before had split rails on the Sangamon River.

**A New
Political
Group**

Several weeks before the nomination of Lincoln another convention had met and another nomination had been made. This was the convention of a new political group which called itself the Constitutional Union party, and which was composed of conservatives who were unwilling to align themselves with either the Democrats or the Republicans. The Constitutional Union party nominated John Bell of Tennessee and declared for "the Constitution of the Country, the Union of the States, and the enforcement of the laws."

**The
Campaign**

The campaign which followed was the most important political contest in our history. The issues were clearly defined, and the voters knew precisely what they were called upon to decide. They were to vote either for the extension of slavery or for its restriction. The campaign was serious but not exciting. "Few national contests," says Schouler, writing of this election, "were ever fought where the discussion was more temperate and where enthusiasm ran

less to folly. There was no Clay, no Jackson, no Tippecanoe to furnish hurrah points; but on all hands the effort appeared to be to impress the great mass of doubtful voters by the force of argument." Yet it was an intense campaign. The speeches made were estimated as being equal in number to all that were made in all the previous Presidential canvasses between 1789 and 1856.

As was to be expected, the election returns revealed all too clearly the ugliness of the sectionalism which slavery had produced. Of the four parties in the field not one had shown itself to be national. The Republicans carried every State above the Mason-Dixon Line except three of the electoral votes of New Jersey, but were unsuccessful in every State south of that line. The Southern Democrats carried all the Southern States except Virginia, Tennessee, and Kentucky; these were carried by Bell. Missouri was carried by Douglas, who also received three of the electoral votes of New Jersey. Of the electoral votes Lincoln received 180 against 123 cast for all the other candidates combined. The popular vote, however, was not so decisive. Of this Lincoln had 1,857,610; Douglas, 1,291,574; Breckenridge, 850,082; Bell, 646,124.

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The
Election
of Lincoln

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

1850 John C. Calhoun dies at Washington, March 31.

The Nashville Convention. (This was called for the purpose of giving public expression on the slavery question. It was composed of delegates from all the Southern States. It disapproved of the Wilmot Proviso and of the Missouri Compromise. The delegates from Texas, Mississippi, and South Carolina advocated resistance to Federal authority, but more moderate counsel prevailed.)

The Shadrach Case. (Frederic Wilkins, a Virginia slave, made his escape and found his way to Boston, where he obtained employment under the name of Shadrach. In time he was arrested and imprisoned in the United States court-house pending trial. He was liberated by a body of colored people and assisted to Canada. The case caused great excitement over the entire country.)

The Presbyterians divide upon the question of slavery.

1851 The principal room of the Library of Congress is destroyed by fire. About 35,000 books are lost.

The Maine Prohibition Law is passed.

1853 Crystal Palace exhibition is opened at New York, July 14. Arctic expedition sent in search of Sir John Franklin.

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- 1853 American expedition under Commodore Matthew C. Perry arrives in Japan and prevails upon that nation to abandon its policy of seclusion. (The next year a treaty of commerce was concluded between the United States and Japan.)
- 1854 Astor Library opened to the public in New York.
The *Black Warrior*, an American merchant vessel, is seized at Havana by Cuban customs officials and its cargo declared confiscated. (The proceeding aroused a bitter feeling against Spain and immediate redress was demanded. Spain reluctantly made compensation for the seizure.)
- 1857 George Peabody gives \$300,000 to establish a literary and scientific institute at Baltimore.
Mountain Meadows (Utah) Massacre. (About thirty miles southwest of Salt Lake City a body of about 120 non-Mormon immigrants were attacked by Indians and Mormons and all were massacred except seventeen children.)
Panic of 1857. (The rapid development of the West in the fifties was accompanied by an overinvestment in land and excessive railroad construction, with the result that in 1857 the country suffered a panic. Many of the Western railroads went into bankruptcy and business failures numbered nearly 5,000. The panic, however, was of short duration. In 1857 a slight reduction was made in the tariff and some writers assert that the change was partly responsible for the financial crisis of that year.)
- 1858 The monster steamer *Great Eastern* is launched at London.
First overland mail for California leaves St. Louis.
- 1859 Wise travels in a balloon from St. Louis to New York.
Discovery of petroleum in Pennsylvania.
- 1860 Walker's filibustering expeditions are broken up and Walker is shot.

Suggested Readings

- Republican Party: Stanwood, Vol. I, pp. 258-278.
Beginnings of the Republican party: Rhodes, Vol. II, pp. 45-49.
Lecompton constitution: Rhodes, Vol. II, pp. 278-299.
John Brown's Raid: McMaster, Vol. VIII, pp. 407-423.
Lincoln-Douglas debates: Schouler, Vol. V, pp. 410-415.
Seward: Frederick Bancroft, "W. H. Seward."
Douglas: H. P. Willis, "Stephen A. Douglas."
Lincoln: Ida Tarbell, "Life of Abraham Lincoln."
The last struggle of slavery: Stanwood, Vol. I, pp. 279-297.
Presidential campaign of 1860: Schouler, Vol. V, pp. 453-468.
Election of 1860: J. T. Morse, "Abraham Lincoln."

XXI

PROGRESS IN THE FIFTIES

BEFORE considering the significance of the election of Lincoln we shall do well to turn from things political and take a survey of the material and intellectual progress America was making at the time the Republican party was gathering strength for its first victory. At this place, therefore, we shall follow the course of our industrial and social development between 1850 and 1860.

THE TRUNK LINES; THE MERCHANT MARINE

In the fifties one of the most powerful agencies working for the development of the nation was the railroad. The railroads built in the thirties and forties ¹ were small ones designed mainly as feeders to lakes or rivers or canals. But in the fifties the railroads became great institutions and the building of iron highways proceeded with astonishing rapidity. In 1850 the railroad mileage of the country was less than 10,000; ten years later it was more than 30,000.

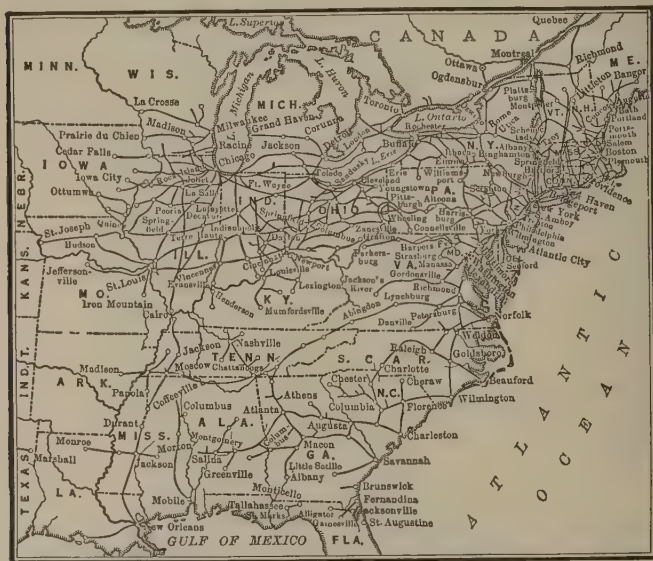
It was at this time that the trunk line appeared carrying freight and passengers from the seaboard westward to the Mississippi River. The New York Central, originally a little road connecting Albany and Schenectady, by 1850 had lengthened into a trunk line upon which one could travel from New York to Buffalo. By 1852 a trunk line was running from Philadelphia to Pittsburgh, and by the next year the Baltimore & Ohio had climbed over the mountains to Wheeling. By 1855 swift iron horses were running over a smooth iron road that extended from New York to St. Louis. In the South by 1854 a road ran from Charleston to Chattanooga, and four years later a line connected Chattanooga and Memphis. In the meantime railroad construction in the Middle West was carried on with such energy that by 1860 the region embracing Ohio, Indiana, Illinois, and Michigan was becoming a network of railways, and considerable territory beyond the Mississippi had been brought into easy railroad communication with the cities of the Atlantic seaboard.

The Trunk
Lines

¹ See p. 301.

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XXIDonations
to the
Railroads

In the construction of many of these lines capitalists were assisted by the largesses of government, the help coming in some instances from the State and in others from the nation. Large tracts of valuable land were given by the Federal Government to railroads in the West, while States and counties and towns also made liberal contributions of land and money. In 1850 the Illinois Central, which connected the lower South with Chicago, received a



Transportation between the East and West after the building
of the Trunk Lines

gift of more than three million acres of the public domain. At this time a Federal land grant was given not directly to a company but to a State, on condition that the State donate it again to railroad companies as an aid to the building of new lines. The reasons urged in support of Federal land grants to railroads were: (1) that they would give the Government the right to transport the mails at its own price, and thus make the railways national post-roads; (2) that they would give the Government the right to transport military supplies free of charge; (3) that they would result in enhancing the value of the remaining public lands in the vicinity of

the railways. Between 1850 and 1860 the Federal Government donated altogether about 20,000,000 acres to the railroads.

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It was in the fifties that the subject of transcontinental railways was taken up in earnest. As early as 1844 Asa Whitney offered to build a railroad from Lake Michigan to the Pacific, provided Congress would give him at a nominal price a strip of territory sixty miles wide along the entire route. His scheme was to build the road with the proceeds of land sales. He went over the country delivering lectures, explaining his plans to conventions and legislatures, and asking the people to lend him their support. While he failed to secure the desired aid, he did much to create a popular interest in projects for transcontinental lines.

Asa
Whitney

This interest was reflected in Congress, where between 1850 and 1860 several bills were introduced providing for land grants to aid in the construction of railroads to the Pacific. None of these bills passed, however, because there was always disagreement as to the route which the proposed route should take. The South wanted a southern route, and it was largely with the view of securing a suitable railway for a southern transcontinental line that the United States in 1854 acquired by treaty 54,000 square miles of Mexican territory known as the Gadsden Purchase. While sectional difficulties caused the postponement of this and all other schemes for transcontinental railroad building, the postponement could not be for long. The country beyond the Mississippi had no navigable streams of any consequence and the railroad was its only hope. "For the West there was nothing between the creeping pace of the canvas-covered wagon and the railway express."

Trans-
continental
Railroad
Schemes

Along with the development of railroad transportation there was a corresponding growth in our merchant marine. During this decade the tonnage of American vessels engaged in ocean traffic increased by nearly 1,000,000. This prosperity was due to several causes. An abundance of timber enabled American shipwrights to produce vessels at low cost. The lower rates of the Walker Tariff also helped to reduce the cost of building ships. The rush to California stimulated the construction of fast sailing vessels, so that the long journey around the Horn might be made in the least possible time. The famous American clippers, the fastest sailing vessels ever placed upon the ocean, were built in large numbers at this time. So superior were these clippers in speed that one of

The
American
Merchant
Marine

¹ See p. 331.

them could make three trips to England in the time a British vessel was making two. Furthermore, ship subsidies at this period were granted with the view of building up our merchant marine. In 1845 the Federal Government came to the aid of steam navigation by subsidizing a transatlantic line at the rate of \$200,000 a year. The Collins Line from New York to Liverpool was receiving in 1850 a subsidy of more than \$850,000 a year. Thus a combination of favorable circumstances made the period the most glorious in the history of our merchant marine. Two thirds of our foreign shipments were made in American bottoms. "We have now," said A. H. Stephens in 1860, "an amount of shipping not only coast-wise, but to foreign countries, which puts us in the front rank of the nations of the world."

THE WESTWARD MOVEMENT IN THE FIFTIES

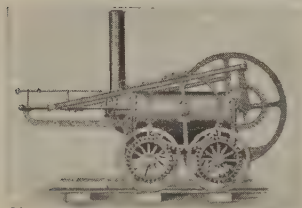
Railroad development and the expansion of the merchant marine worked together for the building up of the West. On the great steamships that were now plowing the ocean emigrants could come to America in greater comfort and at less expense than ever before. And they came in greater numbers than ever before. More foreigners came to our shores in the ten years before 1860 than had come in the thirty years before 1850. Upon landing hundreds of thousands of those home-seekers started straight for the West on railroads that now reached the Mississippi and in some instances penetrated the wilderness beyond.

Minnesota

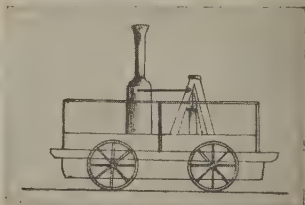
The most wonderful event in the entire history of Western development was the growth of Minnesota in the fifties. Before it was made a Territory Minnesota was a desolate and inaccessible region known as "No-Man's-Land." In 1849 its population was probably less than 5000. "There was a trading-post at Wabasha, a stone house at the foot of Lake Pepin, a mission house at Red Wing and at Kaposia, and a trading-post at Mendota, but that was all." Minnesota was organized as a Territory in 1849, and at once its development began. Soon 28,000,000 acres of land which had belonged to the Sioux Indians were thrown open to the whites. In 1854 Chicago and Rock Island were joined by a railroad, and two years later the Sault Ste. Marie Canal was opened. Minnesota was now easy to reach and emigrants came in throngs. By 1857 the population of the Territory was thirty times as great as it had



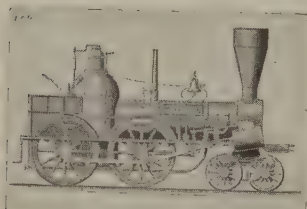
The first passenger train in America, 1831.



Trevethick's engine, 1803.



Peter Cooper's engine, 1830.



An engine in the Forties.



An engine in the Seventies.



Photograph used by permission of Baldwin Locomotive Works

An engine of to-day.

THE DEVELOPMENT OF RAILWAY TRANSPORTATION

been in 1849; and when the people of Minnesota asked to be admitted to the Union in 1858 their wish was granted. In 1861 the wild stretch of country west of this new State and extending to the Rocky Mountains was organized as the Territory of Dakota.

The admission of Minnesota was a loss to the cause of slavery, for it came in as a free State. Soon another free State was to come in. Settlement steadily followed the courses of the Kansas and the Platte to their mountainous sources and steadily prepared Kansas and Nebraska for statehood. While the slavery contest was going on in Kansas emigrants both from the North and the South poured into the Territory, and by 1860 its population was more than 100,000. It was now by law¹ entitled to admission. Accordingly in 1861 Kansas entered the Union with a clause in her constitution forbidding slavery. By this time Nebraska Territory had a population of more than 30,000, and its people felt that Nebraska also ought to be admitted. But Nebraska had to wait for some years.

It was now that gold-hunters began to push out into the Rockies and lay the foundations of future States. In 1859 a rich gold-mine was discovered in the vicinity of Pike's Peak and forthwith there was a wild rush to the scene. "Pike's Peak or bust" became the slogan of adventurers in all parts of the country. Within a year nearly 60,000 gold-seekers visited the newly discovered mines. Towns like Denver, Boulder, and Pueblo were built so rapidly that they seemed to rise out of the ground overnight. Many of the fortune-seekers returned "busted," but many remained and the need for some kind of government was urgent. There was a call for a convention to meet in Denver in June, 1859, for the purpose of framing a constitution for a new State. "Shall it be," it was asked in the address, "the government of the knife and the revolver, or shall we unite in forming here in our golden country, among the ravines and gulches of the Rocky Mountains, and the fertile valleys of the Arkansas and the Platte, a new and independent State?" The movement for immediate statehood proved to be immature and impracticable, but by December, 1859, the miners had organized the "Territory of Jefferson" and were passing laws for the government of the new community. In 1861 Congress stepped in and organized the region under the name of the Territory of Colorado, and the "Territory of Jefferson" passed out of existence. Three days after a government was provided for Colorado another mining

¹ See p. 403.

community was organized as the Territory of Nevada. The development of this Territory was due almost wholly to the discovery of the great Comstock silver-mine, from which, first and last, more than six hundred million dollars' worth of silver was taken from one rock a mile in length.

The impulse of the westward movement was felt clear across the continent. Emigrants continued to pursue the long and tiresome journey to the coast. Oregon was benefited by the westward moving tide. The prosperity of this Territory was threatened for a while by the rush to California during the days of the gold-fever, when many settlers left the Willamette Valley to seek their fortunes in the Sacramento country. But soon the tide turned again to Oregon, and in 1859 this Territory was made a State. In 1853 a part of Oregon was set off and organized as Washington Territory.

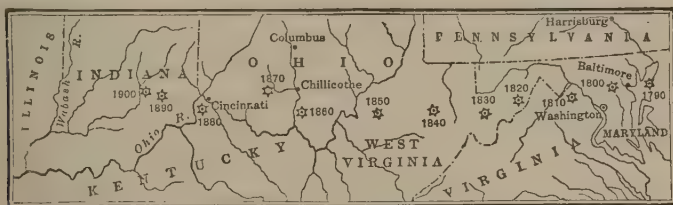
Thus the westward movement in the fifties resulted in the settlement and organization of a vast amount of territory. Within the period 1850-61 California, Minnesota, Oregon, and Kansas attained statehood, while Utah, New Mexico, Washington, Nebraska, Dakota, Nevada, and Colorado were organized as Territories. But this does not tell the whole story. The full significance of the westward movement in the fifties is to be seen not in the organization and settlement of new areas, but in the development of the Western States which were already formed. The population of the United States in 1850 was 23,191,876; in 1860, it was 31,443,321. Of the increase the Western States alone, not including Missouri, could claim more than 4,000,000—about as much as the East and the South together could claim. A startling feature of the census of 1860 was the enormous gains made by the new States of the Northwest. The population of Michigan in the fifties increased from 397,000 to 750,000; that of Wisconsin from 305,000 to 775,000; that of Iowa from 192,000 to 675,000. Illinois during the period more than doubled its population.

The center of population moved westward faster in the fifties than in any other decade of our history. In 1800 the star marking the center of population was about eighteen miles west of Baltimore; by 1840 it had crossed the Alleghanies; in 1850 it had reached Parkersburg (now in West Virginia); and in 1860 it was half-way across the State of Ohio.

COMMERCIAL AND INDUSTRIAL GROWTH

CHAP.
XXIThe
Railroads
and the
Western
Farmers

While the trunk lines in the fifties were doing so much to determine the movement of population they were at the same time doing much to direct the movements of trade. Before they were built Western farmers were in a large measure dependent upon the Mississippi and its tributaries for the transportation of their grain and, as we have seen,¹ they looked chiefly to the South as the natural market for their products. But the trunk lines were like so many navigable rivers flowing direct from the West to the Atlantic seaboard. On the new channels of trade the products of Western farms could be borne to the populous centers of the East; and from the Eastern ports Western grain could easily reach the ports of foreign countries.



Center of Population

Happily there was now an unusual foreign demand for the products of American farms. Europe was running low in its food supply. Consumption had overtaken production, and in some of the countries had got beyond it, so that Europe was compelled to look to America for its breadstuffs. Thanks, then, to the trunk lines and to the new European demand, our foreign trade in grain shipments assumed in the fifties an importance never before known. In the ten years before 1853 our exports of grain were valued at less than \$200,000,000; in the ten years after that date they were valued at more than \$500,000,000. This increase in grain shipments soon raised our foreign commerce to more than double its former volume. By 1860 we were selling abroad about as much as we were buying, and as a commercial nation we were standing on our own feet.

That Europe should turn to America for foodstuffs was a thing to be expected, for agriculture was our chief pursuit, as it had

Prosperity
in the West¹ See p. 377.

always been. Land was so plentiful that rent had scarcely any existence, the farmer being in almost every case the owner of the land which he tilled. It was the day of the small landholder; the average size of a farm was about 200 acres. The science of agriculture was being extended and the art of tilling the soil was being improved. In several States, notably in Michigan, Maryland, and Pennsylvania, well-equipped agricultural colleges were giving sound instruction in the art of tilling the soil. Farmers, as a rule, were well-to-do. They were deserting their log cabins and building themselves frame houses. They were buying the manufactured goods of the East and even the finer goods of Europe. Pianos made in Germany and silks woven in France were finding their way to the farm-houses of the Middle West. Farms and farm property were doubling in value, while the products of the field were increasing in proportion. Great quantities of tobacco, wheat, and corn were being raised, but cotton was still the most important of all the products of the farm. In 1860 the United States raised seven eighths of all the cotton in the world.

Invention

Although agriculture was in the lead, manufacturing was not far behind; for the development of American manufactures at this time was almost startling. The factory system was now in full swing and the articles of manufacture were increasing in number and variety. Foremost among the aids to this progress was invention. How much was due to the inventor may be learned from the records of the patent-office. In 1850 the number of patents issued was about 6000; in 1860 more than 23,000. While these patents related to every field of human endeavor, most of them covered new devices for applying machinery to industrial processes. There were patents for improved looms, for air heating stoves, cooking-stoves, improved sewing-machines, printing-presses, boot and shoe machinery, and for hundreds of things which add to the comfort and convenience of daily life and which tend to raise the standard of living.

Great numbers of patents related to transportation and to the transmission of human intelligence. The sleeping-car had appeared, and the locomotive had grown to be more powerful and efficient. The telegraph was beginning to reveal its wonderful possibilities. By 1860 all the principal places in the country enjoyed telegraphic communication. By 1861 there was a telegraph line extending across the continent connecting New York and San

Francisco. Communication with the Old World was also in sight. In 1858 England and America were joined by cable, and President Buchanan and Queen Victoria were exchanging congratulations over electric wires. This first transatlantic cable proved to be defective and soon ceased to work; the project, however, was carried forward by Cyrus W. Field with great perseverance and energy, and by 1866 cable communication between the Old World and the New was permanently established.

CHAP.
XXICyrus W.
Field

The stimulus given to commerce and industry by the telegraph was being supplemented by another useful invention—the adhesive postage-stamp. Postage-stamps made their appearance in England about 1840. At this time in the United States postmasters and private mail delivery companies were printing stamps and selling them to be used by their patrons to indicate the prepayment of postage. In 1847 the adhesive stamp was adopted by Congress, and the business of the printing and selling of the stamps was made a government monopoly. Letter postage in 1851 was reduced from five cents a half-ounce to three cents for distances less than 3000 miles. For distances greater than 3000 miles the rate was six cents. The reduction in postage resulted in a slight deficit in postal revenues but it increased enormously the volume of mail. In the cities the mail soon became so heavy that it was impracticable to deliver it all to people who called at the post-office. For some years private carriers were utilized in the larger cities and were paid one or two cents for each letter delivered. Private carriers also collected mail and took it to the post-office. But in 1858 the first street letter box for collection purposes was put up in New York City. Five years later the free delivery of mail was undertaken by the Government, and in all our large cities letter-carriers were bringing the mail to the door.

Postage-
stamps;
Letter-
carriers

THE GROWTH OF CITIES

Growth in commerce and industry meant—as it always means—growth in urban population. We were still an agricultural nation but the proportion of city dwellers was increasing. In 1850 about 12 per cent of the population lived in cities of 8000 inhabitants and over; in 1860 about 16 per cent. At the beginning of the decade the total urban population was considerably less than 3,000,000; at the end it was more than 5,000,000.

CHAP.
XXIThe Rural
South

The South did not share in this gain. Here the civilization was still rural in the fullest sense of the word. The only Southern cities with a population of more than 30,000 were Richmond and New Orleans. "The census of 1860 could find only fifteen towns in Alabama worth mentioning and of these nine had less than a thousand inhabitants, dwindling to as few as 117. But two towns in Arkansas were in degree above the merest villages, one having only eighty people. . . . Louisiana had but three towns of over two thousand population besides New Orleans and Baton Rouge. All but five of the towns enumerated in Mississippi were small villages. It was the same in North and South Carolina, the latter State having but three towns besides Charleston of over one thousand population. Virginia was a State of petty villages."¹

Urban De-
velopment
in the
North

In the North manufacturing and commerce flourished and here people were crowding into cities. New York and Brooklyn, although not yet legally cemented by municipal ties, nevertheless constituted in 1860 a single urban community numbering more than 1,000,000 inhabitants. In 1850 the combined population of the two places was only about 600,000. The growth of the American metropolis during the decade, therefore, was enormous. Philadelphia, now the "Manchester of America," added within the period more than 200,000 to her population, and by 1860 had passed the half-million mark. Baltimore had passed the 200,000 mark and Boston was approaching it. Besides these five great centers there were now in the North scores of other places that were flourishing by reason of their growing manufactures and were well started on the road to permanent and prosperous cityhood. In New England there were Providence, Worcester, Lowell, and New Haven; in the Middle States there were Newark, Jersey City, Wilmington, Reading, Pittsburgh, Buffalo, Troy, Rochester, and Syracuse. Each of these had a population of more than 20,000 and three—Providence, Newark, and Buffalo—had populations of more than 50,000.

Chicago and
St. Louis

Great cities were also rising in the West. The growth of St. Louis and Chicago during the period was amazing. In 1840 St. Louis was a town of 16,000; in 1850 its population was 75,000; in 1860 it contained 160,000 inhabitants and had virtually overtaken Cincinnati. In the fifties it passed the "Queen City," and for a brief period it was the metropolis of the West. But it could not

¹ F. E. Chadwick, "Causes of the Civil War"; p. 31.

maintain its leadership against its rival on Lake Michigan. Chicago was now connected by railroads that ran from the trans-Mississippi region to places on the Atlantic seaboard; it was shipping large quantities of wheat to the East by way of the Great Lakes; it was profiting greatly by the presence of McCormick's great factory.¹ All these things worked together for the upbuilding of the "Windy City," with the result that by 1860 it was virtually holding first rank among the cities west of the Alleghanies, and as an example of rapid urban development it was the wonder of the world.

Dozens of other places in the West were also flourishing, their prosperity being due chiefly to their manufacturing interests. For as agriculture made its way westward manufacturing followed in its wake. In 1850 the star marking the center of manufacturing in the United States was near Harrisburg; ten years later it had nearly reached Pittsburgh. As the West grew more populous it could easily support its own factories. Its growing towns could supply the necessary capital and labor and could at the same time consume a portion of its manufactured articles. Hence it was that in the fifties industrial centers like Louisville, Detroit, Milwaukee, Indianapolis, Cleveland, Dayton, Columbus, Toledo, and Minneapolis were increasing in population so fast that the Middle West could no longer be regarded as a wholly rural region.

Industrial
Centers in
the Middle
West

EVERY-DAY LIFE

The railroad and the telegraph and the other great inventions of the day were bringing in the modern world, and the material aspects of every-day life were taking on the complexion they are wearing at the present time. In the great industrial centers there was din and rattle and hustling and luxury and poverty. Streets were paved and there were sidewalks for pedestrians. Cities were rescued from darkness by the gas-light, which was now causing the old wick-lamp to be laid aside. Houses were heated by stoves and hot-air furnaces. Matches had been invented and were used in every household. The high prices of land in the large cities was making it necessary to run buildings up to a considerable height, and there were houses of five and six and even seven stories. The elevator was coming into use. The Fifth Avenue Hotel in New

Material
Aspects

¹ See p. 341.

York became famous on account of a passenger elevator which it installed in 1860. The age of steam had fully arrived; everywhere the steam-engine was used as a means of mechanical propulsion of almost every description. In the field of transportation there was feverish exertion to secure greater speed, comfort, and efficiency. In 1859 George M. Pullman began to remodel old coaches into sleeping-cars, and four years later he was building the now famous Pullman palace-cars. Express companies were carrying packages, bundles, and money between the great cities. For street travel omnibuses were common, and in the largest places there were street-cars drawn by horses. In the stores and in the salesrooms could be seen the results of new processes and new inventions. Articles of every-day use were abundant. Ready-made clothing, thanks to Elias Howe, was piled high on the counters. Prices were reasonable even if the lower levels of wages and income are considered. If the housewife wanted a sewing-machine for her home she could buy one for twenty-five dollars. The cost of a carpet-sweeper was only two dollars. A pair of women's shoes of the finest calf was sold for \$2.75. Books were cheaper than they are to-day. A "Webster's Unabridged Dictionary," 1500 illustrations and 1750 pages, could be bought for \$6.50.

Education was keeping pace with the material progress of the day. The public school was becoming a feature of every-day life. The educational movement begun in the early part of the century¹ acquired greater force year by year, and by 1860 in most of the States provision had been made for elementary schools that should be free to all white children. And public instruction was being carried far beyond the elementary school, for high schools, normal schools, and universities were being included in the educational system of a number of States. By 1860 there were altogether in the United States about one hundred public schools of a grade that would entitle them to be called high schools. Normal schools for the training of teachers were being maintained by State authority in Massachusetts, Connecticut, New York, Michigan, Illinois, and Wisconsin. In Alabama, Indiana, Iowa, Michigan, Mississippi, Missouri, Wisconsin, Virginia, and South Carolina, and in Utah Territory, the educational system was crowned by a State university. The University of Iowa admitted women as well as men, but in the other States women were not admitted until a later day. But

¹ See p. 308.

even now women were beginning to come into their own in respect to education. Throughout the country there were scattered thirty institutions of learning which called themselves colleges for women, although they hardly deserved that name.

Cheap books and popular education were good soil for literature, and the literary plant flourished. Indeed the decade may properly be called the Golden Age of American letters. Then if ever was American genius refulgent. The writers who began publishing in the thirties were now in their prime, and their pens were busy producing the great classics of which America is proud. It was in the fifties that Longfellow, the poet of the common people, published his "Hiawatha" and "Miles Standish"; that J. R. Lowell did his best work in prose while contributing to the pages of "The Atlantic Monthly"; and that William Cullen Bryant and John G. Whittier, in addition to the poetry which they directed against slavery, published masterpieces of verse which delighted their countrymen and which were free from partisan or sectional bias. "Hawthorne reached the summit of his genius in 'The Scarlet Letter' at one end of the decade and 'The Marble Faun' at the other." "The Scarlet Letter" was at once reprinted in England, where it was received with great enthusiasm and where the sneer of Sydney Smith no longer carried force. In 1857 Oliver Wendell Holmes began to contribute to "The Atlantic Monthly" a series of kindly human and buoyant articles under the title "The Autocrat of the Breakfast Table." These were quickly followed by a series fully as delightful, "The Professor at the Breakfast Table." Ralph Waldo Emerson was giving the world some of the finest of those incomparable essays which "set forth a constant and enthusiastic belief in the value of individuality and the need of every man's planting himself in the ground of his own consciousness and natural affections." So rich and fruitful, in fact, were the fifties in works of genius that it can be truly said the literary products of the decade surpassed anything that had gone before or that has followed after.

But books were not the chief source of pabulum for the popular mind. The most powerful agency working for the diffusion of knowledge and for forming public opinion was the newspaper; for the great popular daily had arrived. A number of things had contributed to its growth. In 1849 the Associated Press began to gather news and furnish it to any newspaper that was affiliated

CHAP.
XXI

The Golden
Age of
American
Letters

Newspapers

with the organization; about the same time the telegraph began to annihilate both distance and time in the carrying of news; but, more important perhaps than anything else, the revolving press of Hoe—invented in 1846—was turning off newspapers in great numbers with incredible rapidity. The result of this progress was a newspaper about as good and as cheap as the one we have to-day. The subscription price of the New York daily “Tribune” was six dollars a year. The price of the widely circulated weekly edition was two dollars. In their editorial features the newspapers of 1860 were vastly more influential than they are at the present time. This was because their editors were responsible personalities who felt that their function was to marshal public opinion in the interest of truth and truth alone. In that day of great editors—a day that seems to have vanished and passed—one of the greatest was James Gordon Bennett, who still directed the activities of “The New York Herald.”¹ Another outstanding figure was Samuel Bowles of “The Springfield Republican,” a journal that from the date of its foundation even to this very day—a span of nearly three fourths of a century—has maintained a high standard of editorial excellence. Henry Jarvis Raymond of “The New York Times” also wielded a pen of great power, and his paper was a most effective organ of opinion. But the most influential of the editors was Horace Greeley, whose paper, the “New York Tribune,” now circulated widely not only in the East but in the Middle West also. Greeley wrote with such force and conviction that his readers came to regard the “Tribune” a kind of political Bible. Greeley and Raymond and Bowles all opposed the extension of slavery, and their editorials did much to bring success to the Republican ticket in 1860.

Suggested Readings

Domestic trade; foreign trade: Van Metre, pp. 356-373.
 Railroad building in the fifties: Bogart, pp. 230-235.
 Opening of the Crystal Palace: Rhodes, Vol. I, pp. 414-416.
 Panic of 1857: Dewey, pp. 259-264; also Schouler, Vol. V, pp. 386-389.
 Educational development: Dexter, pp. 155-203.
 Growth of the industrial city: Bogart, pp. 256-258.
 Morse's first telegraph line: McMaster, Vol. VII, pp. 125-130.
 Trade-unions in the fifties: Commons, Vol. I, pp. 575-623.
 Geographical distribution of railroads: Semple, pp. 367-396.
 Poets and novelists: Trent, pp. 172-197.

¹ See p. 312.

XXI

THE BEGINNINGS OF A GREAT CONFLICT

AT the time the people of the United States were enjoying the prosperity described in the last chapter the slavery question was hovering over the country like a dreadful cloud. Immediately after the election of Lincoln the cloud quickly grew darker. Within a few weeks after his inauguration eleven Southern States had withdrawn from the Union and the North and South were girding themselves for war.

SECESSION; EFFORTS AT COMPROMISE

The election of Lincoln meant that the scepter of power was presently to be wrested from the hands of the South. After March 4, 1861, both branches of Congress, the President, and all administrative officers of the Federal Government would be at the service of a political party that was organized for the express purpose of blocking the policy of the South and thwarting her desires in respect to a matter which involved the very existence of her social and economic structure. This was a new and startling situation she was called upon to face. For many years she had been holding her own against the North by balancing slave States against free States in the Senate. But in the development of the country the scales had not been kept even. After the admission of Texas in 1845, not a single slave State had entered the Union, whereas between 1845 and 1860 Iowa, Wisconsin, California, Minnesota, and Oregon had all come in as free States. The power of the South had thus been gradually slipping away before 1860; with the election of Lincoln and a Republican Congress it was gone entirely.

The South
Loses Her
Power

This loss of power meant secession. Long before the election of Lincoln leaders in the South were contemplating separation from the Union. Calhoun preferred secession to the Compromise of 1850. In 1856, when in the opinion of ex-President Fillmore the country was on the brink of a volcano, Senator Toombs of Georgia wrote: "The election of Fremont would be the end of the Union

The
Yawning
Chasm

and ought to be. The object of Fremont's friends is the conquest of the South. I am content that they shall own us when they conquer us, but not before." "I consider," wrote Buchanan privately during the campaign of 1856, "that all incidental questions are comparatively of little importance in the presidential question when compared with the grand and appalling issue of union or disunion." The election of Buchanan did nothing to close the yawning chasm. On the contrary, during his administration the breach widened. The failure of the Lecompton constitution, John Brown's raid, the publication of Helper's book, the split in the Democratic convention at Charleston, all worked upon the minds of the Southern people with cumulative effect to convince them that their only course was "immediate, absolute, eternal separation." Sentiment being already ripe for secession, it was easy for the South when she found herself stripped of power to take the fateful step. Indeed it can be said with much truth that the election of Lincoln acted as a kind of signal to secede; for the great body of Southern leaders had resolved to leave the Union the moment the scales tipped against the South.

South
Carolina
Leads the
Secession
Movement

The first movements of secession were prompt, swift, and decisive. South Carolina rushed headlong into the rash adventure. She was looking forward to the withdrawal from the Union before election day and on the day after the election the palmetto flag was raised in Charleston. On December 20, 1860, a convention of delegates repealed the ordinance whereby the Constitution of the United States was ratified by South Carolina in 1788 and declared that the Union existing between that State and other States under the name of the United States of America was dissolved. The reasons given for this secession were that South Carolina had entered into the Union as by a *compact* with the other States and that the compact had been broken by the other States; that the personal-liberty laws¹ were destructive of the slaveholders' rights under the Constitution; that the non-slaveholding States had elected to the Presidency a man whose opinions and purposes were hostile to slavery; that after March 4, 1861, the Federal Government would be the enemy of the slaveholding States, the guarantee of the Constitution would no longer exist, and the equal right of the States would be lost. South Carolina issued an address to the other slaveholding States appealing to them to join in forming a Confederacy,

¹ See p. 394.

and by February 1 Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas had responded to the appeal and had left the Union.

CHAP.
XXII

Why the
South
Seceded

Of course the seceding States felt that they were acting in accordance with the principles of right and good reason. Of the right to secede there was in the mind of the average Southern man not a scintilla of doubt. The underlying reason for the separation was the one urged by South Carolina: the South felt that the new rulers were planning to make an onslaught upon slavery that would deprive them of their constitutional rights. "We cannot close our eyes to the fact," said Douglas in the Senate in January, 1861, "that the Southern people have received the result of that election [the election of 1860] as furnishing conclusive evidence that the dominant party of the North, which is soon to take possession of the Federal Government, are determined to invade and destroy their constitutional rights. Believing that their domestic institutions, their hearthstones, and their family altars are all to be assailed, at least by indirect means, and that the Federal Government is to be used for the inauguration of a line of policy which shall have for its object the ultimate extinction of slavery in all the States—old as well as new, South as well as North—the Southern people are prepared to rush wildly, madly, as I think, into revolution, disunion, war—and defy the consequences."

No sooner had the seceding States withdrawn from the old Union than they hurried forward to form a new one. Delegates from six of the States that had passed secession ordinances assembled on February 4 at Montgomery, Alabama, to draw up a constitution for the government of a new republic, which was to be known as the Confederate States of America. Of this convention Alexander H. Stephens, who was himself a delegate, wrote: "Upon the whole the congress, taken all in all, is the ablest, soberest, most intelligent, and conservative body I was ever in. . . . Nobody looking on would ever take this congress for a set of revolutionists." The constitution adopted for the Confederate States asserted in the plainest terms the doctrine of State sovereignty and explicitly and fully recognized slavery as a lawful institution. "The cornerstone of our new government rests," said Stephens, "upon the great truth that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition. . . . The negro, by nature, or by the curse against Canaan, is fitted

The
Confederate
States of
America

for that condition which he occupies in our system." The main body of the Confederate constitution was almost identical with that of the Constitution of the United States. There were, however, some important differences in the two documents. The constitution of the Confederacy forbade the importation of slaves from foreign countries; it gave the President a term of six years, but made him ineligible for reelection; it provided that Congress could permit heads of departments to have seats upon the floor of either house, with the privilege of discussing any measure affecting their several departments; it forbade the enactment of a tariff with protective features.

Having finished with the constitution the seceders at once set up a temporary government for the Confederate States. Jefferson Davis was chosen as president and A. H. Stephens as vice-president. Davis, who had succeeded Calhoun as the leader and spokesman of the South, was a man of sterling character and sincere purpose. When he withdrew from the United States Senate he made an impressive speech giving his reason for his course of action. "Your platform," he said to the Republicans, "on which you elected your candidate denies us equality. Your voters refuse to recognize our domestic institutions which preëxisted the formation of the Union, our property which was guarded by the Constitution. You refuse us that equality without which we should be degraded if we remained in the Union. You elect a candidate upon the basis of sectional hostility." The States, he said, were their own masters when they came into the Union and they did not lose this independence upon entering into the Federal compact. Since this was so, a State was free to remain in the Union or withdraw from it. His State had decided to leave the Union, and he was going out with it, not because he loved the Union less, but because he loved Mississippi more. And this was the reasoning that was leading prominent men all over the South to sever their relations with the Federal Government: they left the Union because they thought their first duty was to their State.

On February 14 Davis was inaugurated at Montgomery, the temporary capital of the Confederacy. In his inaugural address he said: "Doubly justified by the abstinence on our part and by wanton aggression on the part of others, there can be no cause to doubt that the courage and patriotism of the people of the Confederate States will be found equal to any measure of defense which

honor and security may require." This was as much as to say that if there was any fighting to be done the South would give a good account of herself. It was of ominous significance that the new Government was especially active in preparing for the exigencies of war. The new Congress resolved that "immediate steps should be taken to obtain possession of Forts Sumter and Pickens . . . either by negotiation or force," and authorized Davis to carry the resolution into effect. Accordingly, on February 22, Davis, acting in the name of the Confederate Government, took charge of military operations in Charleston Harbor.

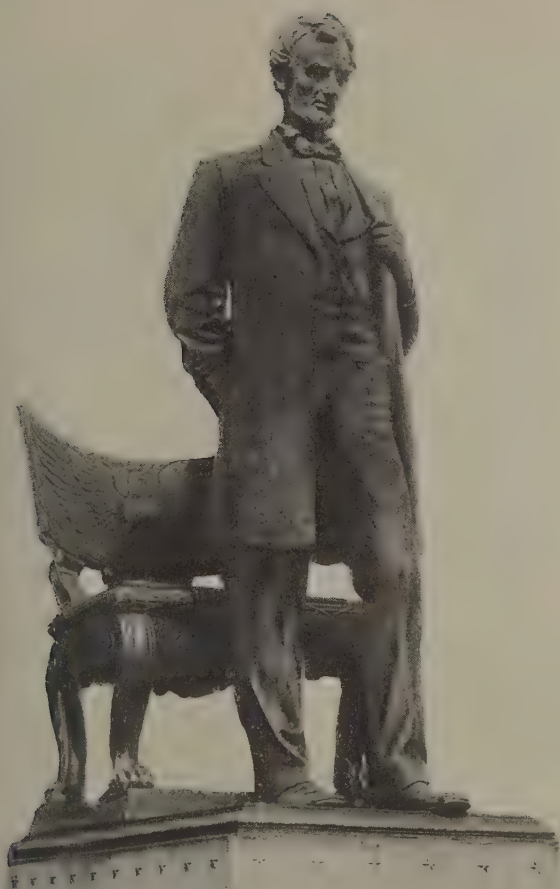
What was the Federal Government doing in the meanwhile? It was frittering away time and pursuing a do-nothing policy. Buchanan seemed incapable of meeting the crisis with energy and decision. In his message to Congress in December, 1860, he characterized the secession movement as revolutionary, but it was a revolution that would have to run its course, for the Federal Government was powerless to intervene with force and bring a seceding State back into the Union. No State had a right to secede, but if one did secede, it must be allowed to go; for in no arm of the Government was there constitutional power "to coerce a State into submission which is attempting to withdraw or has actually withdrawn." "The message," said Seward in disgust, "shows conclusively that it is the duty of the President to execute the laws—unless somebody opposes him; and that no State has a right to go out of the Union—unless it wants to."

While Buchanan was pursuing a halting, timorous policy, the secessionists were acting with vigor. By January 1, 1861, South Carolina actually took possession of all the forts in Charleston Harbor except Fort Sumter, which was held by Union troops commanded by Major Robert Anderson. As the fort was in need of provisions, a Federal supply ship, the *Star of the West*, was sent to its relief, but when the vessel attempted to enter the Charleston Harbor on January 3 she was fired upon by the secessionists and compelled to turn back. So lacking in firmness was the administration that effectual aid could not be given to a Federal fort that was in need of food! But it is easy to condemn Buchanan too severely for this inactivity. He had on his hands a Congress that was largely under the influence of Southern leaders, and if he had undertaken to nip secession in the bud by resorting to Jacksonian methods he would doubtless have been blocked by the law-making

branch. If the country was to see the use of force in the South it would have to wait until March, when the Republicans would assume control.

And what were the people of the North doing while the South was going forward with a movement that was tearing the Union into pieces? For several months the North was in a state of consternation and could not make up its mind what to do. It of course did not countenance secession, for it loved the Union above all things, but it was not ready for coercion. There could be detected, however, one dominant note which public opinion was sounding throughout all the North, and that was the note of compromise. Time and time again this "white virtue"—as Clay had called it—had saved the Union; and it was the sentiment of the Northern States, and of the border States also to a great extent, that a policy of give and take could prevent the dreadful rupture. Many were the schemes of compromise that were brought forward, but the one offered by Senator Crittenden of Kentucky received the widest approval. Crittenden proposed to amend the Constitution in a way that would prohibit slavery north of Parallel 36° 30' and permit it south of that line. The proposed compromise if adopted would have taken from the slaveholder his rights under the Dred Scott decision in so far as new States north of the Missouri Compromise line were concerned, but would have fortified him for all time in his rights south of that line.

Crittenden's plan was popular almost everywhere except in the cotton States. Petitions in its favor poured in from all parts of the North and from the border States. But politicians in Congress were not in a mood for compromise. Slavery had become a moral question, and many Republican leaders had come to look on slaveholding as a sin and upon slaveholders as sinners. Such men were out-and-out abolitionists and would have nothing to do with compromise. Of course Southern leaders, who saw no wrong whatever in slavery, resented an attitude which put them in the position of moral outcasts. The result was that in Congress there was no longer a genuine feeling of brotherhood between the two sections. In the corridors of the Capitol, as men of the North and men of the South passed, they looked into each other's eyes with hatred. "So far as I know," said a senator of the United States in 1860, "and as I believe, every man in both houses [of Congress] is armed with a revolver and a bowie-knife." Such men were thinking more



Statue by Augustus Saint-Gaudens in Lincoln Park, Chicago

A. Lincoln

about blows than they were about compromise. The Senate committee which was to bring out Crittenden's plan failed to agree, so that the proposed amendment was not permitted to go to the States for ratification.

CHAP.
XXII

After the failure of the committee to agree Crittenden made an earnest and almost pathetic effort to get his compromise before the country by another route. He asked that "provision be made by law, without delay, for taking the sense of the people and submitting to their vote." But the mantle of Clay had not fallen on this son of Kentucky. Crittenden was again thwarted in his plans; his compromise proposal was not allowed to go to the people. Had it been submitted to a popular referendum it would probably have been accepted. "There can be no doubt," said a Richmond paper in January, 1861, "that Crittenden's plan of adjustment, if submitted to a direct vote of the people, would be adopted by such a vote as never was polled in this country."

A
Referendum
Proposed

However conciliatory may have been the temper of the electorate, the attitude of leaders made a middle course impossible. "I am daily becoming more confirmed," wrote A. H. Stephens as early as November, 1860, "that all efforts to save the Union will be unavailing. The truth is our leaders and public men, who have taken hold of this question, do not desire to continue it on any terms. They do not wish any redress of wrongs; they are disunionists *per se*." As early as January, 1861, Davis was ready to leave the Union with no thoughts of returning. He was willing to do anything to avert civil war, but he was bent on going out. After the election of Lincoln not only the fire-eaters of the South but her solid moderate men as well were convinced that the only settlement possible was separation. Nor were Northern leaders as a rule animated by a spirit of conciliation. Seward indeed was willing to do something to save "freedom and his country," but he felt that he stood alone. "I am the only hopeful, calm, conciliatory person here," he wrote to his wife in December, 1860, while in the Senate. And little in the way of compromise could be expected from Lincoln himself. In a letter to Seward in February the President-elect wrote: "I say now, however, as I have all the while said, that on the territorial question—that is the question of extending slavery under the national auspices—I am inflexible. I am for no compromise which assists or permits the extension of the institution on soil owned by the nation." In taking this stand

A Middle
Course
Seemingly
Impossible

Lincoln was upholding the main plank in the platform of the party which elected him. He was also closing the door of hope on the Crittenden Compromise, the only conciliatory proposition that had ever obtained much popular support. When this ill-fated measure was resuscitated in the Senate on March 2, two days before the Congress was to expire, it provoked a debate which continued into the small hours of March 3; but, failing to secure Republican support, it was voted down. With that vote the last faint hope of compromise perished. The seceding States must now be allowed to depart in peace or there must be war. The event was in the hands of the man who in a few hours would take his place at the head of the Government.

THE CALL TO ARMS

In his inaugural Lincoln devoted his remarks entirely to the situation which existed in the South. The address, "an immortal state paper which stands among the glories of Anglo-Saxon literature and thought," was a full, calm, forthright discussion of the question raised by the seceding States and a plain announcement of the policy of the incoming administration. To understand clearly the issues that were at stake at this critical moment the inaugural must be read in its entirety. The new President said:

Fellow-citizens of the United States:

In compliance with a custom as old as the Government itself, I appear before you to address you briefly and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President "before he enters on the execution of his office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist among the people of the Southern States that by the accession of a Republican administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that—

"I have no purpose, directly or indirectly, to interfere with the

institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so."

Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations and had never recanted them; and more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

"Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace, and security of no section are to be in any wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. This clause I now read is as plainly written in the Constitution as any other of its provisions:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves; and the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause "shall be delivered up" their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by State authority, but surely that

difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done. And should any one in any case be content that his oath shall go unkept on a merely unsubstantial controversy as to *how* it shall be kept?

Again: In any law upon this subject ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not in any case surrendered as a slave? And might it not be well at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States"?

I take the official oath to-day with no mental reservations and with no purpose to construe the Constitution or laws by any hypercritical rules; and while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed than to violate any of them trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have in succession administered the executive branch of the Government. They have conducted it through many perils, and generally with success. Yet, with all this scope of precedent, I now enter upon the same task for the brief constitutional term of four years under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever, it being impossible to destroy it except by some action not provided for in the instrument itself.

Again: If the United States be not a government proper, but an association of States in the nature of the contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak—but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that in legal contemplation the Union is perpetual confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "*to form a more perfect Union.*"

But if destruction of the Union by one or by part only of the States be lawfully possible, the Union is *less* perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that *resolves* and *ordinances* to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to circumstances.

I therefore consider that in view of the Constitution and the laws the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part, and I shall perform it as far as practicable unless my rightful masters, the American people, shall withhold the requisite means or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it *will* constitutionally defend and maintain itself.

In doing this there needs to be no bloodshed or violence, and there shall be none unless it is forced upon the national authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the Government to enforce the exercise of these offices, the attempt to do so would be so irritating and so nearly impracticable

withal that I deem it better to forego for the time the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing and with a view and a hope of a peaceful solution of the national troubles and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events and are glad of any pretext to do it I will neither affirm nor deny; but if there be such, I need address no word to them. To those, however, who really love the Union may I not speak?

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from, will you risk the commission of so fearful a mistake?

All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right plainly written in the Constitution has been denied? I think not. Happily, the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might in a moral point of view justify revolution; it certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guaranties and prohibitions, in the Constitution that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate nor any document of reasonable length contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or State authority? The Constitution does not expressly

say. *May* Congress prohibit slavery in the Territories? The Constitution does not expressly say. *Must* Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative, for continuing the Government is acquiescence on one side or the other. If a majority in such case will secede rather than acquiesce, they make a precedent which in turn will divide and ruin them, for a minority of their own will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy a year or two hence arbitrarily secede again, precisely as portions of the present Union now claim to secede from it? All who cherish disunion sentiments are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose a new union as to produce harmony only and prevent renewed secession?

Plainly the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy or to despotism. Unanimity is impossible. The rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of Government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court the instant they are made in ordinary litigation between parties in personal actions, the people will have

ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. Nor is there in this view any assault upon the court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decisions to political purposes.

One section of our country believes slavery is *right* and ought to be extended, while the other believes it is *wrong* and ought not to be extended. This is the only substantial dispute. The fugitive-slave clause of the Constitution and the law for the suppression of the foreign slave-trade are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, cannot be perfectly cured, and it would be worse in both cases *after* the separation of the sections than before. The foreign trade, now imperfectly suppressed, would be ultimately revived without restriction in one section, while fugitive slaves, now only partially surrendered, would not be surrendered at all by the other.

Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory *after* separation than *before*? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of existing Government, they can exercise their *constitutional* right of amending it or their *revolutionary* right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself;

and I should, under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconception of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

The chief magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose, but the executive as such has nothing to do with it. His duty is to administer the present Government as it came to his hands and to transmit it unimpaired by him to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of Nations, with His eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people.

By the frame of the Government under which we live, this same people have wisely given their public servants but little power for mischief, and have with equal wisdom provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance no administration by any extreme of wickedness or folly can very seriously injure the Government in the short space of four years.

My countrymen, one and all, think calmly and *well* upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to *hurry* any of you in hot haste to a step which you would never take *deliberately*, that object will be frustrated by taking time, but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing

under it: while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty.

In *your* hands, my dissatisfied fellow-countrymen, and not in *mine*, is the momentous issue of civil war. The Government will not assail *you*. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in heaven to destroy the Government, while *I* shall have the most solemn one to "preserve, protect, and defend it."

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

"Civil War
Must Now
Come"

These words could have been uttered only by a man whose heart was overflowing with kindness, yet they had something in them that threatened like low thunder. If Lincoln was not going to allow the seceding States to remain out of the Union, if he was going to execute the laws of the United States on the soil of the Confederate States, taking possession of Southern ports and collecting taxes at those ports, he was going to have war. For if he undertook to do these things he was certain to be resisted and when resistance was offered force would have to be met with force. To the country at large, especially to the Confederacy, the address meant war. In Wall Street there was a decided downward movement of stocks. One Richmond newspaper declared that the policy indicated in the Lincoln inaugural address would meet with the stern and unyielding resistance of a united South, while another exclaimed: "Civil war must now come. Virginia must fight." Said L. Q. Washington, a Southern leader: "We all put the same construction on the inaugural. We agreed that it was Lincoln's purpose at once to attempt the collection of the revenue, to reinforce and hold Forts Sumter and Pickens and retake the other places. He is a man of will and firmness. His cabinet will yield to him with alacrity, I think."

But Lincoln proceeded cautiously. Through March he gave to the country no sign or sure indication of his purposes. The next day after his inauguration he sent to the Senate the names of his proposed cabinet. William H. Seward was selected as secretary of state; Salmon P. Chase of Ohio as secretary of the treasury; Simon Cameron of Pennsylvania as secretary of war; Gideon Welles of Connecticut as secretary of the navy; Caleb B. Smith of Indiana as secretary of the interior; Edward Bates of Missouri as attorney-general; and Montgomery Blair of Maryland as postmaster-general. It was a fusion cabinet, for the antecedents of Cameron, Chase, and Welles were on the whole Democratic, while Blair was by no means an out-and-out Republican. When Lincoln was reminded that by including the four men just mentioned his cabinet would stand four Democrats and three Republicans, he replied: "You seem to forget that I expect to be there, and counting me as one, you see how nicely the cabinet would be balanced and ballasted. Besides, General Cameron is not Democratic enough to hurt him." It was soon discovered that the Pennsylvania man was not statesman enough to hurt him. Having shown himself to be unfit for the War Department, Cameron was removed in January, 1862, and his portfolio given to Edwin M. Stanton, "a man of flaming patriotism, of tremendous vigor, who welcomed burdens however odious or difficult, provided it should be said of him that he bore them for his country's good." Upon the whole the cabinet consisted of an exceptionally strong group of men. Not since Washington's administration has the President's official family contained at any one time three statesmen who in efficiency and power have been the equals of Seward, Chase, and Stanton.

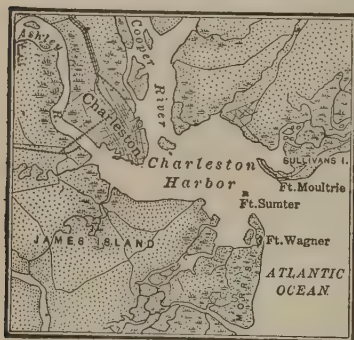
The cabinet and the country as well soon witnessed a test of the new President's mettle. Fort Sumter was still held by Federal troops, but its situation had become critical indeed. It was covered by the guns of Confederate batteries, and its provisions were almost exhausted. Southerners had given warning that the sending of reinforcements or provisions would be a signal for war. They demanded the evacuation of the fort; for the flag that waved over it was now regarded by them as the emblem of a foreign nation, and it was offensive to their eyes. Lincoln had made up his mind that the flag should not come down without his having made an attempt at least to keep it flying. He referred the question of the forts to General Winfield Scott, the head of the Federal army, but the

CHAP.
XXII

A Group of
Strong Men

Lincoln and
Fort Sumter

aged commander was not in sympathy with the President's policy. In a letter to Seward he said: "Say to the seceded States—*Wayward Sisters, depart in peace.*" Receiving no encouragement from Scott, Lincoln then turned to his cabinet, asking each member the question: "Assuming it to be possible to now provision Fort Sumter, under all the circumstances is it wise to attempt it?" Seward, Cameron, Welles, Smith, and Bates gave a negative answer; only Chase and Blair answered affirmatively. Seward, still hoping for conciliation, thought that a quiet evacuation of Sumter would strengthen the Union sentiment in the South, would allay the popular excitement there, and would cause the seceding States to reverse their action. In this pacific policy Seward was supported by many



Charleston Harbor

of the leading men of the country. In the Senate, which was in extra session, Douglas, on March 15 declared that peace was the only policy that could save the country or save the Republican party, and that the withdrawal of Major Anderson was demanded by "duty, honor, patriotism, and humanity." But Lincoln could not see things that way. He felt that if he surrendered Sumter he would surrender all. So he gave or-

ders that on April 6 the army and navy should join forces and relieve Fort Sumter with men and provisions.

But the relief of the fort was not achieved. When the Government of the Confederate States heard of Lincoln's action, Davis and his cabinet decided to demand the immediate surrender of the fort. They desired, however, no shedding of blood. To General Beauregard, who was to make the demand they telegraphed: "Do not desire needlessly to bombard Fort Sumter. If Major Anderson will state the time at which he will evacuate and agree that in the meantime he will not use his guns against us unless ours should be employed against Sumter, you are authorized thus to avoid the effusion of blood. If this or its equivalent be refused reduce the fort as your judgment decides to be most practicable." Anderson refused to surrender and on the next day, April 12, the bombard-

ment began. Since the fort had but sixty-four men and but little ammunition, it was quickly and easily reduced. On April 13 Anderson surrendered with permission to salute the flag as it was hauled down and to march out with colors flying and with drums beating. The next morning with a salute of fifty guns the flag was lowered. There had been a great deal of firing, but there was no loss of life on either side during the engagement.

Lincoln, who had believed all along that the "tug must come sooner or later," was prepared in mind and purpose for the conflict precipitated by the firing on Sumter. But the country was wholly unprepared in a military way to meet the crisis. The regular army consisted of only about 18,000 men, and these were scattered at military posts. Advocates of preparedness are accustomed to say that if only we had had a large army there would have been no trouble. But this, of course, is only an assumption, and it is not a plausible assumption. On the contrary, it is quite gratuitous. For we must bear in mind the conditions under which a large standing army would of necessity have been organized. The Government for years had been in the hands of men who would not have permitted the development of a large military establishment that could have been utilized to the disadvantage of the South. In the measures of defense that were actually taken, the discrimination, where there was any, was always against the North. In 1856, when Jefferson Davis was secretary of war, there was appropriated for the whole line of Northern Atlantic fortifications only \$190,000, while the appropriation for fortifications in the South was \$928,000. Later, Floyd, Buchanan's secretary of war, assisted in distributing arms and ammunition to the Confederates, and it was the opinion of General Scott that the army had been scattered over the country by Floyd so that men could not be sent promptly against the Confederates. When the break came, hundreds of officers of the regular army and of the navy forsook the Union and gave their services to the seceding States. If there had been a great standing army would the situation relatively have been any better? Then it must not be forgotten that the spirit of America had always been averse to imposing armaments. It was the boast and the pride of the nation that its standing army was small. If the rulers of the country, running counter to this spirit, had built up a vast military establishment, they would have created an America wholly different from the one which actually existed in 1860. To draw conclusions

as to what would have happened in this imaginary America gives rise to speculations that can only be useless.

Having no strong regular army, Lincoln was compelled to summon the militia to his aid. The moment the news of the attack upon Sumter reached him, he summoned Congress to meet on July 4 in special session, and telegraphed to the governors of the several States, calling for militiamen to the number of 75,000 to suppress combinations obstructing the execution of the laws of the United States in seven of the Southern States. "I appeal," he said, "to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity and existence of our National Union and the perpetuity of popular government and to redress wrongs already long enough endured." On April 19 the President set on foot a blockade of the ports of the seceding States.

The response to the President's call for troops showed that the attack upon the fort had aroused the country to a sense of duty; when the call was heard every man in the United States felt that he must decide whether he was for a Union consisting of all the States—the Union Lincoln was trying to uphold—or whether he was for secession. At the North the sentiment for the Union carried everything before it and men prepared themselves for a struggle. "At one stamp of his foot," said Henry Adams, "the President called the whole nation to arms." At New York a quarter of a million people held a rally in Union Square and solemnly pledged themselves to the support of the Union. "The heather is on fire," said George Ticknor. "I never before knew what a popular excitement can be. Here at the North there was never anything like it; for if the feeling was as deep and as stern in 1775 it was by no means so intelligent or unanimous." Said "The New York Times": "The people will respond to this demand [for the volunteers] with alacrity and exultation. They ask for nothing better than to be allowed to fight for the Constitution which their fathers framed. Whatever may have been their political differences, there has never been a moment when they were not ready to sink them all in their devotion to their common country and in defense of their national flag." The response was general: Democrats, Republicans, native-born Americans, foreigners—all rallied for the Union. Out of the Eastern cities came the Irish who had left their old home to escape famine. Out of the West came the Germans who had left the Fatherland to escape tyranny.¹ The response was

as prompt as it was universal. Within twenty-four hours the Sixth Massachusetts Regiment mustered in Boston Common and started for the scene of action. A few days later the Seventh New York was on its way to Washington. Of the popularity of the President's action there was every manifestation of assurance. In answer to the first call for 75,000 volunteers, and to a subsequent call made a few weeks later for 40,000 more, there were by July 1 in the field at the command of the Government 310,000 men.

In the States that had seceded Lincoln's call for troops was accepted as a challenge to war, and there went out from the Confederate Government an appeal for 32,000 men in addition to the 21,000 volunteers who had already enlisted. The response in the South was as hearty for the stars and bars as it was in the North for the stars and stripes. "The anxiety among our citizens," said Howell Cobb of Georgia, "is not who shall go to the war, but who shall stay at home." Those who took the field in support of the Confederacy included the flower of the Southern youth, the prime of Southern manhood. The rich, the poor, the learned, and the unlearned offered their services, feeling that they were going out to fight for their country and their rights. By the middle of July more than 100,000 were enrolled for the army of the Confederacy and more than 50,000 were under arms organized with battalions and regiments.

THE SOUTH
CALLS FOR
TROOPS

During the first months of the secession movement eight of the slave States loosely known as "border States"—Delaware, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Arkansas, and Missouri—wavered between loyalty to the Union and to the Confederacy. The allegiance of these States was a question of the utmost importance, for if they all went over to the Confederacy, it would have fifteen States and its territory would exceed in area that of the settled portion of the Union that remained. In several of these doubtful States the policy was one of "watchful waiting": they would stay in the Union as long as there was peace, but at the crack of a gun they would go over to the Confederacy. "I will tell you," said Roger H. Pryor of Virginia on April 10, "what will put Virginia in the Southern Confederacy in less than an hour by Shrewsbury clock—strike a blow." He understood the situation. Two days later the bombardment of Sumter acted as a signal for the border States to decide upon their course. In Dela-

THE "BORDER
STATES"

¹ See p. 346.

ware the prevailing sentiment was for the Union and there was no secession. Maryland contained a powerful secession element, but when the test came she decided that she had no right to go out. In Virginia popular sentiment was voiced quite accurately by the governor, who flatly refused to furnish any troops in response to Lincoln's call. Two days after that call was made a convention of Virginia delegates by a vote of 103 to forty-six adopted an ordinance of secession. Arkansas followed on May 6, North Carolina on May 20, and Tennessee on June 24. Kentucky remained in the Union although she tried to pursue a course of neutrality. Missouri had decided against secession several weeks before the call for troops. So four of the border States remained loyal to the Union and four went over to the Confederacy.

THE FIRST CLASHES

The
Clash in
Baltimore

While the Confederacy was making up its full count of States the border country was becoming the scene of warfare. The first blood was shed in Baltimore. On April 19, the anniversary of Lexington and five days after the surrender of Fort Sumter, the Sixth Massachusetts Regiment, while marching through the streets of Baltimore on its way to Washington, was attacked by a crowd of secessionists. There was an exchange of shots, with the result that several soldiers and a number of citizens were killed. The regiment fought its way to the railroad station and within a few hours reached Washington, where it was anxiously awaited by Lincoln, who was afraid Southern troops might at any moment attack the capital.

West
Virginia

The first skirmish between organized troops occurred in what is now West Virginia. While the eastern part of Virginia was strongly in favor of secession the western part was loyal to the Union. When, therefore, Virginia seceded on April 17, the people over the mountains refused to go out with her. They took steps at once to secede from the seceder and formed a government of their own. In order to check this movement Confederate troops under Beauregard were hurried into western Virginia. On June 3 they were attacked by a Union force under General George B. McClellan and were defeated. The people of western Virginia, carrying forward their plan of separation, organized a new State

which in 1863 was admitted as the State of West Virginia. Thus one of the first results of secession was to give a new State to the Union.

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In Kentucky and Missouri there were also early clashes between the friends and enemies of secession. In Missouri the military operations in the summer of 1861 were of vast importance to the Union cause. The governor, who was a violent secessionist, made an attempt to take his State over to the Confederates; but he was thwarted in his plans by the prompt action of Nathaniel Lyon, who, with a small army of Union soldiers, captured the principal strongholds of the State. In a battle at Wilson's Creek on August 10, Lyon was killed and the Union forces were defeated, but the net result of the fighting was to drive the Confederate forces into Arkansas and save Missouri to the Union.

Missouri

The battle that first stirred the nation deeply was fought near Manassas, a railroad station in Virginia about thirty miles southwest of Washington. Lincoln's call for troops quickly brought to Washington a large army, upon which devolved the twofold duty of protecting the nation's capital and attacking Richmond, which after the secession of Virginia was chosen as the capital of the Confederacy. The people of the North were desirous that the attack upon Richmond be made without delay. "On to Richmond! On to Richmond!" was the cry. To please the North, therefore, General McDowell with 30,000 men marched out of Washington to give battle to Beauregard, who, after the clash with McClellan in West Virginia, had taken a position near Manassas, along the stream of Bull Run, where he commanded about 22,000 men. On July 21 the two armies met in battle, and the Union forces were disastrously defeated and put to flight.

Manassas

The people of the North hung their heads in shame when they heard that at the first important trial of strength the Union army had been routed. But Lincoln knew well enough that the defeat was due solely to a lack of training and bad management, and he at once set about making changes in the military organization. On the very day after Manassas he made General McClellan commander of all the forces in and around Washington. The Little Napoleon—as McClellan was called—had a remarkable genius for organizing and disciplining armies. The situation at Washington required all the skill he possessed; for almost nothing was being done in the way of training the raw regiments that were flocking into the

McClellan

capital. Officers were occupying themselves lounging around the city. About the time McClellan arrived upon the scene somebody said that a boy threw a stone at a dog on Pennsylvania Avenue and hit three brigadier-generals. But presently generals and officers were not so numerous on the streets, for the new commander kept them busy drilling their regiments and preparing their men for battle. As a result, by the last of October McClellan had a well-drilled, well-organized, and well-equipped army.

"On to
Rich-
mond!"

By December McClellan's command had reached a strength of 185,000 men, the largest force that had ever been assembled in America—larger indeed than Napoleon at any time ever led into battle. What was to be done with this magnificent Army of the Potomac? The people of the North thought it ought to move out into Virginia and give battle to the enemy without a moment's delay. "On to Richmond! On to Richmond!" was again heard. But McClellan was slow to move. He was a superb drill-master but not a dashing warrior. Besides, it was vastly easier to cry "On to Richmond!" than it was to get there. Geography was strongly against the advance of troops across the country between Washington and the Confederate capital. The numerous parallel rivers which intersected the Virginia plain between the Blue Ridge Mountains and Chesapeake Bay, and which lay directly athwart the path of an invader, "afforded the Northern armies the maximum number of difficulties in a march overland on Richmond, and gave the Confederates the maximum opportunities for defense." McClellan, thinking a great deal about saving his men from defeat and not enough, perhaps, about leading them to victory, held his fine army in check. Summer passed, the autumn passed, the year 1861 passed, and still he made no advance upon Richmond.

FOREIGN COMPLICATIONS

The Object
of the
Blockade

The establishment of the Confederacy quickly gave rise to international episodes of a most serious nature. One of the chief causes of friction with foreign powers was the blockade which the President declared immediately after the rupture. The purpose of the blockade was to prevent the South from selling its tobacco and cotton to the countries of Europe and receiving in exchange not only guns, ammunition, and other military supplies, but also clothing, shoes, medicines, and other articles of daily use. If the South

could be cut off from the foreign trade her predicament would be most distressing, for her manufactures were almost a negligible factor in her economic life. She was never cut off completely, for there was always some blockade-running, yet the normal intercourse with Europe ceased even before the fighting was fairly begun, and in less than a year the coast was so well guarded that only the swiftest and boldest craft would risk the danger of breaking through the line.

Considered as a war measure the blockade was of incalculable value to the North, for it struck the South at its weakest point. But since in striking this blow it at the same time inflicted injuries upon the trade of foreign nations it was bound to have an unfortunate effect upon our international relations. Lincoln would fain have treated the secession trouble as a family quarrel with which outsiders had nothing whatever to do. He did not regard the disturbance as a war but as a mere uprising which he could suppress by the arm of the militia.¹ When he made the call for troops he did so by virtue of a law passed in 1795 giving the President the power to use the militia in suppressing insurrections. It was his theory that on land the Confederate troops were insurgents and that on sea Confederate vessels were craft engaged in piracy. But when he announced the blockade he virtually admitted that he was waging a war with the South, for in the eyes of international law a blockade assumes the existence of belligerency. Taking this view of the matter Great Britain on May 13, as soon as the blockade was declared, recognized the Confederate States as belligerents and proclaimed herself a neutral nation. Her example was followed by most of the important nations of Europe. In the North the action of England in recognizing the Confederacy as a belligerent was resented as an evidence of unfriendliness to the United States; for it gave to Confederate cruisers the status of privateers, while it was the policy and desire of Lincoln that they should be regarded as pirates. England, however, was within her rights and made out a good case for the course she took. It happened that her policy of neutrality was in line with her own interests and with those of the Confederacy. It helped the South to get more supplies for carrying on the war than she would otherwise have got and it

¹ Congress at no time declared war against the Confederacy, although on May 6, 1861, the Confederate Congress passed an act recognizing the existence of war between the United States and the Confederate States.

helped England to get more of the cotton that her great manufacturing cities needed so badly.

The unfriendly feeling caused by England's proclamation of neutrality was intensified by the incident known as the "*Trent* Affair." On November 8, 1861, the *San Jacinto*, an American man-of-war commanded by Captain Wilkes, overhauled in the Bermuda Channel the British mail steamship *Trent* and took from her by force James Mason and John Slidell, who had been commissioned by the Confederate Government to represent its interests in England and France. The commissioners were taken to Fort Warren in Boston and imprisoned. The *Trent* was allowed to proceed to her destination. Upon hearing of the incident, Americans in the North went beside themselves with joy. Wilkes became a popular hero: the House of Representatives formally thanked him, and the secretary of the navy wrote him a note of congratulation. Even Secretary Seward at first was pleased. But when the English Government demanded peremptorily the liberation of Mason and Slidell American officials were sobered by a second thought. Seward indeed, even before he heard from England, came to the conclusion that it was best to disclaim authority for the arrest. The demand for the release of the commissioners was made on the ground that Great Britain was a neutral power and in making it the British Government was insisting on a principle which the United States itself had always strongly insisted upon—namely, that a neutral vessel should not be subjected to the right of search. After taking into consideration all the circumstances of the seizure Seward decided that the captives must be given up. "If I decide this case," he said, "in favor of my own Government, I must disallow its most cherished principles and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain those principles and adhere to that policy, I must surrender the case itself. We are asked to do to the British nation just what we have always insisted all nations ought to do to us." Mason and Slidell were accordingly released; embarking upon an English vessel they were taken to England.

It was not pleasant to yield in this matter, but there was no doubt that the act of Wilkes was an error. Besides it was of the utmost importance to the Union side that there be no breach with England. America needed her good-will, and at the beginning of the war it was by no means certain that she would have it. Indeed, in the

early days of the struggle it seemed that the Union's only real friend in Europe was Russia. If the United States had insisted on retaining Mason and Slidell, it might easily have happened that England would retaliate by recognizing the independence of the Confederate States. She might, indeed, have gone further and broken the blockade and renewed her trade with the South. This she could have done without any great difficulty, and the temptation to do it was very strong. She sadly needed the trade of the South. Her mills were idle and her workmen were suffering because she could get no cotton. But the temptation was resisted; as far as outward forms were concerned England maintained friendly relations with the United States throughout the war. For this amicable relationship thanks were due largely to the British workingman. The aristocracy and governing classes of England were as a rule inclined to favor the South, but the working classes wanted the Union to win even though British factories should close and British laborers go without bread. "Impartial history will tell," said John Bright in a speech to the London trade-unions, "that, when your statesmen were hostile or coldly indifferent, when many of your rich men were corrupt, when your press was mainly written to betray the fate of a continent and its vast population being in peril, you clung to freedom with an unfaltering trust that God in His infinite mercy will make it the heritage of all His children."

That harmonious diplomatic relations with England were maintained was due in no small measure to propaganda, a war agency that was freely employed both by the North and the South. The able and talented Yancey was early sent to Europe by the Confederacy to plead its cause at various capitals and to promise "all that the cupidity of merchants could suggest—cotton and free trade, treaties on the most favorable footing—if only independence were favored." To offset this appeal Seward not only fitted the diplomatic posts with the best men he could find, but "sent abroad private citizens of experience and ability, whose duty it should be to communicate with the metropolitan press, respond to Confederate statements of injurious tendency, seek interviews with the French and English legislators and leading men of influence, and be instant at all times to set right the Union cause in all intelligent circles of influence. Thurlow Weed, the veteran journalist and politician, was sent thus to traverse France and Great Britain;

Propaganda

Archbishop Hughes to plead with the Romanists in Paris; and Bishop McIlvane to visit prelates of the English church. A marked change in public opinion abroad was the result of their activities."¹

Neither diplomacy nor propaganda, however, could triumph completely over the hostile influences that were at work in Europe. The crafty and vainglorious Napoleon III was willing to do any amount of harm to the Union cause provided he could thereby promote the glory of France. The ambitious schemes with which his brain teemed included a plan for planting the French power in the western hemisphere, and the civil strife with which the United States was being torn gave him the opportunity he was seeking. In 1861 he contrived to induce England and Spain to join with him and go into Mexico with an armed force for the avowed purpose of collecting the claims of their subjects against the Government of that distracted republic, which as usual was drifting hither and thither impelled by different factions. England and Spain, becoming convinced that Napoleon had ulterior designs, presently withdrew their forces, leaving France to act alone. Napoleon went on with his plans and, having overthrown the existing Mexican Government, placed Maximilian, a brother of the emperor of Austria, on a throne supported by French bayonets. All this of course was violative of the Monroe Doctrine, but the American Government could do nothing but protest and bide its time.

The conduct of France in Mexico, although irritating and embarrassing, was by no means so disquieting as the conduct of England. Many and serious were the troubles that came from our cousin across the seas. "Confederate cruisers," says Schouler, "found shelter in colonial ports of Great Britain, while other nations excluded them. The influence of the British press subserved secession interests; blockade-running was almost altogether a British diversion, with risks taken by British insurance companies; British capitalists invested in the Southern loans; British agents in the United States served as Confederate agents and emissaries; British merchants supplied to the Confederate army ammunition and supplies." But the worst offense of Great Britain was that she permitted vessels for the Confederate navy to be constructed in her shipyards. The war had hardly begun before the keel of the cruiser *Florida* had been laid, and by August 1, 1861, the contract had been signed for the building of the *Alabama*.

¹ Schouler, "History of the United States"; Vol. VI, p. 120.

These vessels, built for the purpose of preying upon Union shipping, were allowed to leave British ports, and by the time the war was well under way they were out on the ocean. Of their devastations we shall learn hereafter.¹ Of England's connection with the fitting out and manning of the terrible *Alabama* we may let an Englishman, Goldwin Smith, speak: "No nation ever inflicted upon another a more flagrant or more maddening wrong [permitting the *Alabama* to escape]. No nation with English blood in its veins had ever borne such a wrong without resentment. . . . Built and equipped in a British port, manned by British seamen, with the English flag flying, she went forth to cruise from an English port against the commerce of our allies."

Suggested Readings

Secession: Rhodes, Vol. III, pp. 114-145; Davis, Vol. I, pp. 71, 168-170.

The Confederate States of America: Davis, Vol. I, pp. 229-241.

The Forts: Hitchcock, pp. 252-272.

The call to arms: Ropes, Vol. I, pp. 90-97.

Bull Run (first battle): Ropes, Vol. I, pp. 121-156.

The geography of the civil war: Semple, pp. 280-311.

Foreign relations and the *Trent*: Schouler, Vol. VI, pp. 111-127.

Why the Civil War came: Van Metre, pp. 216-221.

¹ See p. 478.

XXIII

THE CIVIL WAR

THE ASSEMBLING OF THE HOSTS

The North
and the
South
Compared

MANASSAS enlarged the conflict from an insurrection to a civil war. Now beyond all doubt the North and South must meet in battle array. On the Union side there were twenty-two States; on the Confederate side eleven. The military population of the North was about 4,600,000; that of the South about 1,150,000. In the sinews of war, in wealth and resources, the advantage was all with the North, the value of its real and personal property being nearly \$11,000,000,000, while the value of these two kinds of property in the South was only about \$5,000,000,000. In the value of its manufactures the North surpassed the South in the proportion of eleven to one. In the manufacture of iron, the indispensable article of war, the South had made almost no progress at all. If the Confederacy was to be supplied with the munitions of war it would have to bring them from outside. In transportation facilities, too, the North was far ahead of the South. The network of railroads in the Northern States made it possible to mobilize troops quickly and place them at strategic points. Besides, the trunk lines built in the fifties would serve as channels of trade between the East and the West, even though the South should be able to keep the Mississippi closed. In the South railroads were very few in number, and their assistance in the movement of troops and supplies could not be very great. As to the qualities of the soldiers who would fight the battles, General Winfield Scott gave the following estimate: "Southern soldiers have *élan*, courage, woodcraft, consummate horsemanship, endurance of pain, equal to the Indians, but they will not submit to discipline. They will not take care of things or husband their resources. If it could be done by one wild desperate dash they would do it, but they cannot stand the waiting. . . . Men of the North on the other hand can wait; they can bear discipline; they can endure forever. Losses in battles are nothing to them. They will fight to the bitter end."

Although in most things the advantage was with the North, in one important respect the outlook was favorable to the South: its task was much lighter than the task laid out for itself by the North. The North set out to save the Union, to maintain the integrity of the nation. To do this it would have to go forth as an aggressor and an invader and fight an offensive war. It would have to conquer and crush piece by piece a country five times as large as France. The South was not compelled to go forth and conquer. Desiring only to be let alone, all it had to do was to defend itself against the invader. It would win without conquering a single foot of territory.

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The South
on the
Defensive



Territory held by the Confederates at the close of 1861

In respect to the matter of preparedness neither side at the beginning had much advantage over the other, for both sides were wholly unprepared for war. But preparation went on with feverish haste and by the end of 1861 mighty hosts had been assembled. At the beginning of 1862 the organized forces of the Union army consisted of nearly 500,000 men and the Union navy numbered more than 200 armed vessels. Of the land forces, about 15,000 were at Fortress Monroe; about 200,000 were stationed in the vicinity of Washington; about 20,000 were in western Virginia; about 100,000 were at Louisville; about 100,000 were at St. Louis, and at Cairo, Illinois; about 20,000 were on the extreme western frontier. The organized forces of the Confederate army at the

Organized
Forces at
the End of
1861

commencement of 1862 were not far from 250,000 men. Of these about 175,000 were in eastern Virginia; about 30,000 were in Kentucky at Columbus, Fort Donelson, and Fort Henry; about 20,000 were in Tennessee, at Nashville and Chattanooga; and a considerable number were holding the Mississippi, being stationed at New Orleans, Natchez, Vicksburg, and Memphis.

The year 1861 had been spent in preparation. When the year 1862 opened, Lincoln believed that the time had come for action. On January 27, as the commander-in-chief of the army and navy, he issued the following stirring order:

Ordered: That the 22d day of February, 1862, be the day for a general movement of the land and naval forces of the United States against the insurgent forces.

That especially

The Army at and about Fortress Monroe,

The Army of the Potomac [at Washington under McClellan],

The Army of western Virginia,

The Army near Mumfordsville [near Louisville] Kentucky,

The Army and Flotilla at Cairo,

And a Naval Force in the Gulf of Mexico

be ready for a movement on that day.

That all other forces . . . be ready to obey additional orders when duly given.

That the Heads of Departments with all the subordinates and the General-in-Chief with all other commanders and subordinates of the land and naval forces will severally be held to their strict and full responsibilities for the prompt execution of this order.

By the time this order was sent out Lincoln and his advisers had determined upon a plan of campaign. The Union forces must do four things: capture Richmond; maintain an effective blockade; gain possession of the Mississippi River, so as to give the Northern people an outlet to the ocean and at the same time cut the Confederacy into two parts; and press forward upon the Confederate lines until every foot of the territory of the seceding States should be brought under the control of the Federal power. This meant war in Virginia and in the neighboring States, war along the coast and on the ocean, and war in the West.

THE WAR IN THE WEST IN 1862

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the War

The first earnest, systematic pressure upon the Confederate lines was applied in the West, where an energetic movement of the armies began even before the date assigned in Lincoln's order. The part taken by the West in the prosecution of the war had an importance which it would be difficult to overestimate. Western foodstuffs fed the Union armies, and Western soldiers bore the brunt of many of the hardest-fought battles. General Sherman early predicted that the war would be won by Western armies. As a matter of fact it was the movement of Union armies in the West that turned the left flank of the Confederate army, crumpled it, and drove it eastward to final defeat.

The man who was foremost in directing that movement came out of the West. At the outbreak of the war Ulysses Simpson Grant, although thirty-nine years of age, was wholly unknown to fame. He was trained for war in the military academy at West Point, where he was graduated in 1843, standing twenty-first in a class of thirty-nine. He was good in mathematics and the best horseman in his class. In the Mexican War he fought with his regiment in almost every important battle and won distinction for personal gallantry. In 1854 he resigned from the army and settled near St. Louis, where he undertook to conduct a real estate business. Failing in this, he moved with his family to Galena, Illinois, where he took employment in his father's store at a salary of \$800 a year. He remained at Galena until the outbreak of hostilities in 1861. At that time he was regarded as a broken, disappointed man. He seemed to have no ambition, and his nature seemed to be asleep. But when the war came on he was stirred with new life and his marvelous faculties asserted themselves. He wrote to the adjutant-general at Washington offering his services to the Union army, but no notice was taken of his letter. Nevertheless, in June, 1861, he was successful in securing an appointment as colonel of an Illinois regiment; in August he was made a brigadier-general of volunteers. He now moved upward from one position to another until he became the central military figure of the war. Grant was short in stature, round-shouldered, and not at all striking in personal appearance. "He has rough, light-brown whiskers," said an observer, "blue eyes, and a rather scrubby look withal. But his face is firm and hard and his eye is clear and

Ulysses
Simpson
Grant

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resolute." Upon the field of battle Grant's physical courage seemed wonderful even to the bravest of his colleagues. Throughout rattling musketry fire, with bullets flying all around, this thoughtful, silent man would sit in his saddle without moving a muscle or winking an eye, quiet, imperturbable. Direct in movement and persevering in action, he went straight against the enemy to crush him, and he fought on and on, hammering away until the victory was complete.

Fort Henry;
Fort
Donelson

It was Grant's fortune to strike the first really effective blow delivered by the Union army. When the campaign in the West opened in 1862 the Confederates held Fort Henry on the Tennessee River, and Fort Donelson on the Cumberland. These were very important strongholds, for they guarded waterways that led far into the center of the Confederacy; and accordingly a prompt movement against them was decided upon. On February 6 Commodore Foote, with a flotilla of gunboats, captured Fort Henry; ten days later General Grant led a force of 30,000 men against Fort Donelson and after three days of hard fighting compelled the fort to surrender. Fifteen thousand Confederate soldiers were captured. This victory brought the whole of Kentucky and a large part of Tennessee under the control of the Union forces and opened a road into the heart of the Southland. Nashville, the capital of Tennessee, was occupied by Union troops.

Corinth

The loss of Donelson made it necessary, of course, for the Confederates to move their line of defense further south. Their new rallying point was at Corinth, an important railroad center in northern Mississippi. Union strategy, therefore, required the capture of Corinth; but there was much hard fighting before it was taken. After taking Donelson Grant moved up the Tennessee to Pittsburg Landing, near Shiloh Church, expecting to be joined by General Buell. But on April 6, before Buell's arrival, Albert Sidney Johnston, one of the ablest of the Southern generals, suddenly attacked the Union forces and drove Grant from his position. On the morning of the seventh, however, Buell arrived with fresh troops and saved the Union army from defeat. In the battle Johnston was killed. He was succeeded in command by Beauregard, who led the Confederate forces back to Corinth. On May 30 they were quickly dislodged by General Halleck, the commander of the Union armies in the West. After the occupation of Corinth there was no more desperate fighting between the land forces in the

Shiloh

West until October 8, when Bragg, who was making a raid into Kentucky, was halted by Buell near Perryville and driven back into Tennessee. At Murfreesboro Bragg was attacked by Rosecrans and after three days' fighting his army was so demoralized that his officers urged him to retreat in order to save it. He therefore fell back into the hills around Chattanooga, while Rosecrans moved into Murfreesboro. This was at the end of the year 1862.

CHAP.
XXIIIMurfrees-
boro

The War in the West

While the Confederate lines were being driven back in this way by Grant and Halleck a fierce contest was going on for the possession of the Mississippi. At the beginning of 1862 this river from Columbus, Kentucky, to its mouth was controlled by the Confederates. After the surrender of Donelson, however, Columbus was abandoned, and the Confederates moved down to Island No. 10. Here, on April 7, while the battle of Shiloh was raging, they were attacked by Foote with gunboats and by Pope with a land force and were driven from their position. Two months later Fort Pillow and Memphis were abandoned. The upper Mississippi was now controlled by the Union forces as far as Vicksburg. In the meantime Admiral Farragut was gaining control of the lower Mississippi.

Fighting
for the
Control
of the
Mississippi

In April he entered the mouth of the river with a great fleet, forced his way past Fort Jackson and Fort St. Philip, and captured New Orleans and Baton Rouge. By August the Union forces had full control of the Mississippi, except the stretch between Port Huron and Vicksburg.

THE WAR IN THE EAST IN 1862

The
Monitor
and the
Merrimac

In the East the year 1862 opened with McClellan still inactive, although the North was anxiously waiting for him to lead his splendid army against Richmond. More than two months passed before the slow and cautious general began to advance. About the time he was getting ready to move the country was thrilled by the fight between the *Monitor* and the *Merrimac*. On March 8 the Confederate ironclad *Merrimac* suddenly moved out from Norfolk and attacked the wooden ships of the Union fleet. Frigate after frigate collapsed under the deadly fire of the ironclad until, on the next day, it met the *Monitor*, a low-decked ironclad vessel with a revolving turret carrying heavy guns. It was now ironclad against ironclad, and there was a gallant struggle on both sides. Neither vessel won a decided victory but the *Merrimac* was prevented from doing further mischief to the Union navy. This naval duel in Hampton Roads marked the beginning of a new era in naval architecture. The day of the wooden war vessel was past, and the day of the ironclad had come. "The oak-ribbed and white winged navies whose dominion had been so long and so picturesque, at last and forever gave way to steel and steam."

McClellan
on the
Peninsula

A few days after the battle of the ironclads McClellan, setting out from Washington, took his army by water to Fortress Monroe, from which place he moved up the peninsula bounded by the York and James rivers. He spent a month in preparing for the capture of Yorktown, but, just as he was ready to attack, the Confederates slipped away. McClellan pursued them and engaged them in battle at Williamsburg. At night the Confederates again slipped away, moving toward Richmond. McClellan followed them until they were within seven miles of the Confederate capital. He took a position on the Chickahominy River near Fair Oaks, where he was attacked by the Confederates. In this engagement the Confederates on the first day were successful, but on the second day they were defeated.

As the Confederate commander, General Joseph E. Johnston, had been wounded in the Battle of Fair Oaks, General Robert E. Lee was appointed in his place. At the outbreak of the war Lee, like many of the Confederate officers, was in the Union army. His talents as a military man were recognized by Lincoln, who virtually offered him the chief command of the Union forces; but he could not see his way to accept. Although he was opposed to secession he could not go against his State; and when Virginia seceded he cast his lot with the Confederacy. "With all my devotion to the Union," he said, "and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home." The sacrifice of his loyalty could not have been made without great distress of mind and spirit, for he was bound to the Union by the strongest ties. He proved to be a tower of strength to the Confederate cause. His talent for organization was equal to that of McClellan, while as a strategist he has had few equals in history. He not only managed the Southern forces with consummate skill and ability, but he won the confidence of the Southern people. "Inspired by his example," says Charles Francis Adams, "the whole South seemed to lean up against him in implicit, loving reliance."

CHAP.
XXIIIRobert E.
Lee

The right arm of Lee in the Virginia campaign was Stonewall¹ (T. J.) Jackson. This dashing, daring soldier, in the opinion of many competent critics, was the outstanding military genius developed by the war. His strategy without doubt was marvelous, but much of his success was due to his striking personality. He was a hero himself, and he knew how to make heroes of his men. "His troops," says Lieutenant-Colonel G. F. R. Henderson, "had learned that Jackson's commendation was worth having. They had seen him in action, the coolest of them all, riding along the line of battle with as much composure as if the hail of bullets was no more than summer rain. They had seen him far in advance of the charging lines cheering them to the pursuit. . . . His staff was devoted to him for they had learned to know him. He lived

Stonewall
Jackson

¹ The name "Stonewall" was given to Jackson at the first battle of Manassas. The story is that when some of the Confederate troops in the battle were being beaten back, General Bee, observing that Jackson was standing firm, called out, "There's Jackson standing like a stone wall." Thereupon the cry passed from man to man, "Stonewall Jackson! Stonewall Jackson!"

CHAP.
XXIIIJackson
in the
Shenandoah
Valley

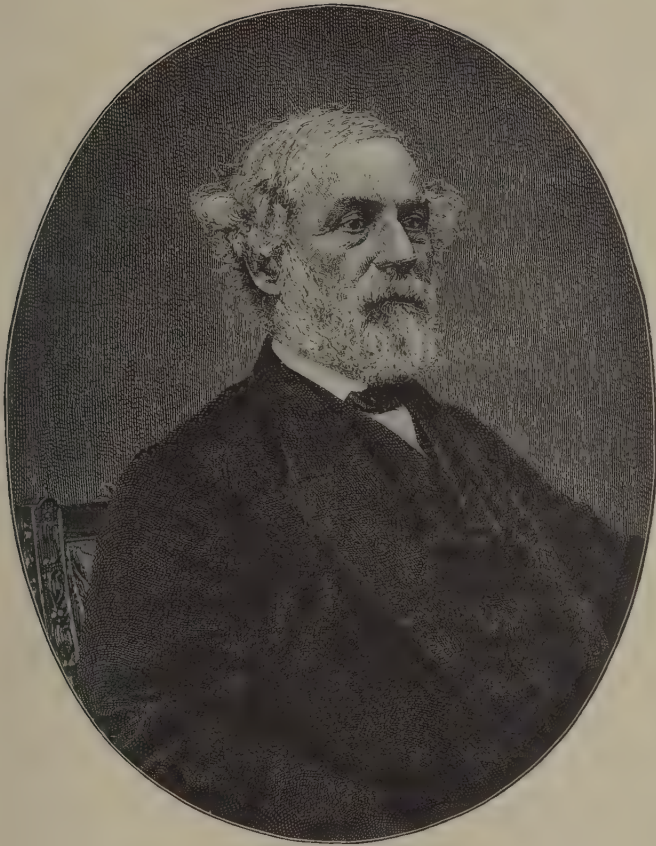
with his military family on the most intimate terms and his un-failing courtesy, his utter absence of self-assertion, and his sweet temper, were irresistible.”

Jackson's chief task was to manœuvre so as to threaten the safety of Washington and thus draw Union troops away from the main body of the Army of the Potomac for the defense of the capital. McClellan in his movements against Richmond expected to be reinforced by 40,000 men under the command of McDowell. But throughout April and May Jackson was in the Shenandoah Valley creating the impression that he was about to swoop down upon Washington. Accordingly McDowell's army, which was on its way to reinforce McClellan, was hurried back to protect the capital. The combined strength of the three armies of Frémont, Banks, and McDowell were now thrown against Jackson with the intention of crushing him. Eluding the attack, he slipped out of the valley, and by the end of June he was back at Richmond. “In forty-eight days, he had marched 676 miles, fought five hard battles, accomplishing in each his purpose, baffled three Federal armies, his 17,000 matched against 50,000, . . . and stricken the North with terror. He now stood with army diminished indeed, but trained, seasoned, superb in *morale*, and eager for new efforts, while his own reputation was forever fixed as one of the world's great captains.”¹

The Failure
of the
Peninsular
Campaign

After Fair Oaks the Union army lay quietly in camp on the Chickahominy River, so close to Richmond that the soldiers could see the spires of the city and hear the bells ringing. McClellan was inactive because of the heavy rains, an excuse which caused Lincoln to remark that the general thought the rain fell only upon the just and not upon the unjust. Moreover the Union commander, complaining bitterly because McDowell's troops had not been allowed to join him, begged for reinforcements, which Lincoln, caring more for the security of Washington than for the capture of Richmond, did not see fit to send him. The army he had was very much larger than the one he would have to fight, yet he seemed unwilling to play the game of war unless the dice were loaded. Toward the end of June he was compelled to fight, for his lines were attacked by Lee. For seven days the two armies contended with each other in the neighborhood of Richmond. In this “Seven Days' Battle,” the Confederates lost 10,000 men and the Union army 16,000. The victory—if there was a victory—was on the side of the Confed-

¹ J. K. Hosmer, “The Appeal to Arms”; p. 153.



R. C. M.

erates, for they checked the advance of the Union army and they saved their capital. At the end of the long battle McClellan with his army retired to Harrison's Landing, no longer in sight of the steeples of Richmond, but twenty-five miles away. His Peninsular Campaign had been a failure. "Thousands upon thousands of the flower of American manhood had sickened and died in the malarial swamp of the Chickahominy and thousands more had watered with their blood the fields about Richmond, and all to no purpose."

The bad fortune of the Peninsular Campaign strengthened rather than weakened the resolution of the President. "I expect to maintain this contest until successful, or till I die, or am conquered, or my term expires, or Congress or the country forsakes me." Believing that more troops were necessary, he called for 300,000 additional men, to serve for three years or the duration of the war. The response was enthusiastic and whole-hearted. Soon he was cheered by the spirited refrain, "We are coming, Father Abraham, three hundred thousand more." He also decided to make a change in the organization of the army. The three armies of Frémont, Banks, and McDowell were organized as the Army of the Virginia and placed under Pope. More important, Halleck on July 11 was called from the west and made general-in-chief of all the armies of the United States. McClellan was reduced in command because Lincoln could no longer regard him as the right man in the right place.

"We Are
Coming,
Father
Abraham"

With the new commanders came a change in the plan of action. It was decided to abandon the Peninsular Campaign; and accordingly Halleck on August 22 ordered McClellan to withdraw the Union forces from the peninsula to the vicinity of Washington. McClellan protested stoutly, but in vain; the army was withdrawn. Pope with his Army of Virginia met Lee on the old battle-field of Manassas on August 29 and 30 but was out-generaled and defeated. At his own request he was relieved from the command.

Pope

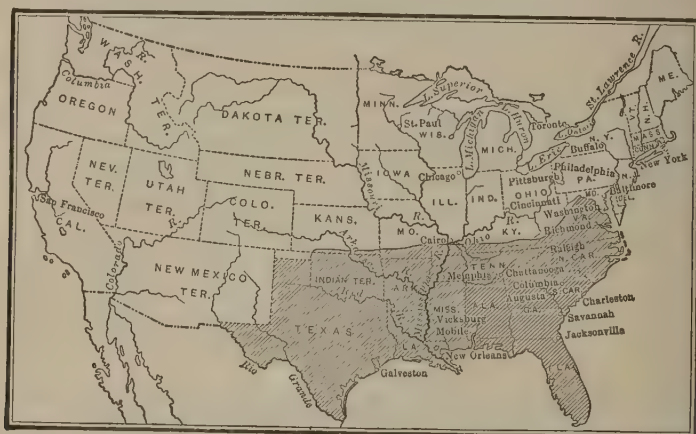
After Pope's disastrous defeat McClellan was given a chance to retrieve his fame. He was reinstated and sent in pursuit of Lee, who after the victory at Manassas crossed the Potomac and marched into Maryland, hoping to rally the people of that State to the Confederate cause. Paralleling the Confederate army as it moved northward, McClellan came up with Lee at Antietam Creek near Sharpsburg, Maryland. Here was the bloodiest single day of fighting in the war. The losses on both sides were enormous, but the

McClellan
at Antietam

victory may be said to have been on the Union side. At the end of the fight Lee recrossed the Potomac. McClellan, instead of pursuing his beaten foe, settled down to rest. The President hinted that the fight ought to go on without delay. "If we cannot beat the enemy," he said in a letter to McClellan, "where he is now, we never can." But McClellan could not be made to stir. Accordingly, on November 7 he was removed, and Burnside was given the command of the army.

Burnside

The choice of Burnside was a great mistake. He was not a good fighting man, he had no confidence in himself, and he inspired no



Territory held by the Confederates at the close of 1862

confidence in his soldiers. In the hope of skirting Lee's right flank and getting between the Confederate lines and Richmond he hurried forward and crossed the Rappahannock River at Fredericksburg, where Lee and Jackson were waiting for him with a line of troops six miles long. On December 13 Burnside gave battle but was defeated with terrible slaughter. In an assault that proved to be vain one Union army corps lost more than a fourth of its men. Burnside was soon removed and General Hooker—"Fighting Joe Hooker"—was appointed in his place.

Since Fredericksburg marked the close of the fighting in the East in 1862, we may now recapitulate. What was accomplished during this year? To what extent had the plan of campaign been carried out? The capture of Richmond had not been achieved;

the Confederate capital was as secure at the end of the year as it was at the beginning. The blockade, however, had been maintained with increasing effectiveness. Great progress, too, had been made in the task of opening the Mississippi, for the Union forces had gained possession of the river throughout its entire length, except the stretch between Port Hudson and Vicksburg. In the matter of driving back the Confederate lines and gaining possession of the Confederate territory, the Union forces had been highly successful. At the opening of the year 1862 the Confederates occupied a portion of western Virginia, half of Kentucky, half of Missouri, and all the eleven States of the Confederacy. At the close of 1862, all western Virginia, all Missouri, all Kentucky, the greater part of Tennessee, half of Arkansas, and portions of Mississippi and Louisiana were in the possession of the Union forces. In the matter of fighting, of battles lost and won, the Union forces were for the most part successful in the West, while the Confederates were for the most part successful in the East.

EMANCIPATION

Antietam was significant not only because it brought cheer to Northern hearts but also because it furnished Lincoln the victory for which he was waiting to issue his proclamation of emancipation. He had no authority under the Constitution or under any law to emancipate a single slave and did not pretend to have. It was his view that Congress could not touch slavery in the States. Yet as the war progressed it became more and more impossible to ignore slavery matters. The negroes, although not fighters themselves, were available for doing many things that would help their masters to win the war. Slaves worked on the farms and raised the food for Confederate soldiers; they drove the wagons of the Confederate armies; they threw up intrenchments for the Confederate defense. Congress, seeing how the military power of the South was being increased by the negroes, passed in 1861 a bill confiscating slaves whose labor was used for insurrectionary purposes. Lincoln signed the bill but with great reluctance, for at this time he was inclined to look askance at any legislation attacking slave property. His idea was that emancipation should be voluntary on the part of the loyal slave States, that compensation should be made to the slave-owners, and that colonization of the freed negroes should take

place. In harmony with these ideas Congress in April, 1862, appropriated a million dollars for compensation to owners and one hundred thousand dollars to assist in colonization. Another antislavery law was Trumbull's Confiscation Act which provided that all slaves of disloyal masters escaping within the lines of the army; all slaves captured from disloyal masters; and all slaves found within any place occupied by Confederate forces and afterward occupied by the forces of the United States should be forever free of their servitude and should not be held again as slaves. Further, the law virtually provided for the employment of negro troops, for the President was definitely authorized "to employ as many persons of African descent as may seem necessary and proper for the suppression of the rebellion."

Although Lincoln desired to keep within constitutional limits in dealing with slavery, he was compelled to keep step with Northern sentiment, and this every day was becoming more favorable to emancipation. In Congress there was a growing disposition to compel the President to proclaim emancipation. But the occasion for congressional pressure did not arise. Lincoln, after deliberating upon the question in the most serious manner, came to the conclusion that emancipation was a military necessity. When Lee was invading Maryland he "made a promise to himself and his Maker" that if the Confederates were driven back he would issue a proclamation of emancipation. Accordingly, on September 23, five days after Antietam, he issued a preliminary proclamation declaring that on January 1, 1863, "all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward and forever free; and the executive government of the United States, including the military and naval authority thereof, shall recognize and maintain the freedom of such persons." Authority for the proclamation was found in the war powers of the Constitution: as a movement in the game of war Lincoln was going to deprive the masters of their slaves. The necessity for the measure, he believed, grew out of the necessity of saving the Union; for the thing uppermost in his mind was the Union. About a month before the proclamation was issued and while he was considering the matter with his cabinet he wrote to Horace Greeley the following oft-quoted and memorable letter: "My paramount purpose in this struggle is to save the Union, and is not either to save or destroy

slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause; and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors, and I shall adopt new views so fast as they shall appear to be true views. I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men everywhere could be free."

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The proclamation was hailed by antislavery radicals with gratitude and joy. "God bless Abraham Lincoln!" exclaimed "The New York Tribune." In Boston, Pittsburgh, and Buffalo the proclamation was saluted with a hundred guns. But Lincoln detected a lukewarmness in the response of the North. His disappointment was expressed in a strictly private letter written to Vice-President Hamlin: "While I hope something from the proclamation my expectations are not as sanguine as are some of those of my friends. The time for its effect southward has not come; but northward the effect should be instantaneous. It is six days old, and while commendation in newspapers and by distinguished individuals is all a vain man could wish, the stocks have declined and troops come forward more slowly than ever. This, looked soberly in the face, is not very satisfactory." The autumn elections must have been peculiarly discouraging to Lincoln, for his party was beaten in New York, Pennsylvania, Ohio, Indiana, Illinois, and Wisconsin. The Republicans were barely successful in retaining the control of the House. Indeed that control would have been lost had not solid Republican delegations from Maryland, Kentucky, and Missouri been secured by the presence of Federal troops.

A
Lukewarm
Response

Although the elections seemed to be a vote of censure implying a lack of confidence in the administration, Lincoln held firm to his purpose. He had come to believe that slavery was at the bottom of all the trouble. In his message to Congress in December, 1862, he said: "Without slavery the rebellion could never have existed; without slavery it could not continue." When January 1, 1863,

The Bottom
of the
Trouble

arrived, as the Confederate States had failed to show the slightest sign of submission, he issued the proclamation :

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander in Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this 1st day of January, A. D. 1863, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States the following, to wit :

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are and henceforward shall be free, and that the executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that in all cases when allowed they labor faithfully for reasonable wages.

And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

Among slaveholders the proclamation gave force to the argument that Lincoln was the abolitionist that the South had always contended he was, and that the war was only a crusade against slavery. While the proclamation was treated as a vain and empty vaunt by Southern leaders, it nevertheless created considerable consternation, for it was a blow aimed at the foundation of the Southern social system. Its principal effect was to incite the people of the Confederate States to a more strenuous resistance. President Davis on January 12, in a message to the Confederate Congress, declared that the proclamation "encouraged the slaves to a general assassination of their masters." But there was no uprising. On the contrary, the slaves continued to display the usual fidelity to their masters. The proclamation, however, did have the effect of securing some negroes for the Northern armies. At the close of 1863 Lincoln announced in his annual message that 100,000 former slaves were in the military service of the United States, and that 50,000 were actually bearing arms in the Union ranks. Abroad, especially in England, the proclamation cleared up doubts about the purposes of the war and created a better feeling toward the North.

CHAP.
XXIIIThe Effect
of the
Proclama-
tion in the
SouthThe Effect
Abroad

THE WAR IN 1863

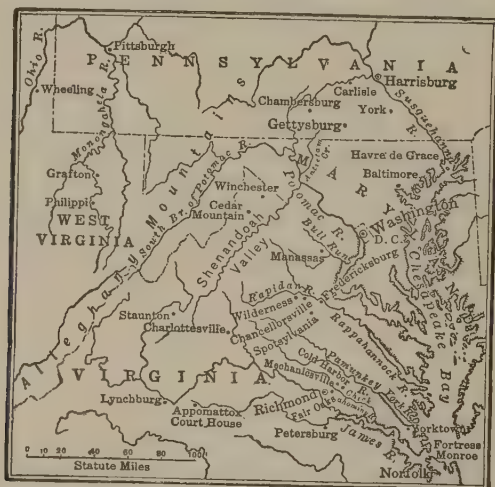
There is no good reason why the Confederacy should have laid down its arms on January 1, 1863, in accordance with the terms of the Emancipation Proclamation; for at that time the prospects of the South were bright while a deep gloom overspread the North because of the terrible disaster to the Union forces at Fredericksburg. And the gloom of the North was presently to become deeper.

When Hooker took command of the Army of the Potomac it was disheartened and sulky and was dropping to pieces. Desertions were at the rate of two hundred in a day. Eighty-five thousand officers and men were absent from duty without leave. But Hooker was a good manager and a strict disciplinarian. By the beginning of April he had his army well organized and was ready for hard fighting. On May 1, with more than 100,000 men, he advanced upon Lee, who was at Chancellorsville with an army of 60,000 men. Lee, at great risk, divided his army, giving a portion of it to Jackson and ordering him to make a roundabout march and attack Hooker on his right. While the Union soldiers on the right were cooking their food, pitching their tents, and, in some cases, playing cards,

Chancellors-
ville

"there came upon them a sudden irruption of rabbits, birds, deer, wild creatures of the woods fleeing from some danger behind." The danger from which the frightened creatures were fleeing was Stonewall Jackson, dashing through the woods with 26,000 men. He fell upon Hooker's right wing and crushed it at a blow, throwing the entire Union army into confusion. But it was Jackson's last charge, for in the battle he received a mortal wound.

Lee completed the work begun by Jackson and carried the Confederates on to victory. The defeat at Chancellorsville was even



The War in the East

more disastrous than the defeat at Fredericksburg, and when the news of the battle reached the North, discouragement was seen written on every brow. Many men who were in earnest in their support of the war gave up all idea that the South could be conquered. The darkest days for the Union were the days just after the Battle of Chancellorsville.

Gettysburg

But in a few short weeks the North was again buoyant with hope. After Chancellorsville Lee moved north, his purpose plainly being the invasion of Maryland and Pennsylvania. Hooker thought that now was the time to strike the Confederate army in the rear and at the same time to take Richmond, thus "giving the rebellion a mortal blow." But he was warned by Lincoln against the danger of any

movement that would put the Rappahannock River between himself and Lee. "I would not," he said, "take any risk of being entangled upon the river like an ox jumped half over a fence, and liable to be torn by dogs in front and rear, without a fair chance to gore one way or kick the other." It was Lincoln's idea that Lee's army and not Richmond was now the sure objective point, and his view of the matter prevailed. As Lee moved northward Hooker marched in parallel columns, always keeping between his foe and Washington. The advance was the most exciting and spectacular event of the whole war. When the Confederate army entered Pennsylvania men took up the morning newspaper with sinking hearts. By the last of June Lee had advanced as far as Chambersburg and Carlisle and the roar of his cannon was shaking the houses of Harrisburg. The Union forces, now under the command of General Meade, were nearby ready to give battle. On July 1 fighting began at Gettysburg and for three days shrapnel and cannister rained. At the end of the third day the Confederates gave up the fight. On the morning of the Fourth of July this word went out: "The President announces to the country that news from the Army of the Potomac is such as to cover that army with the highest honor, to promise a great success to the cause of the Union, and to claim the condolence of all for the many gallant fallen, and that for this he especially desires that on this day He whose will, not ours, should ever be done, be everywhere remembered and revered with profoundest gratitude." After his defeat Lee led his army back into Virginia, where he remained undisturbed until the spring of 1864.

A part of the battlefield of Gettysburg was dedicated as a "national cemetery wherein to bury the bodies of the slain." Lincoln was present at the dedication and delivered an address which the country instantly recognized as a masterpiece of eloquence. As time passed the impression made by the speech deepened, and to-day all men praise it as one of the finest specimens of American oratory:

CHAP.
XXIII

A Master-
piece of
Eloquence

Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field as a final resting-place for those who

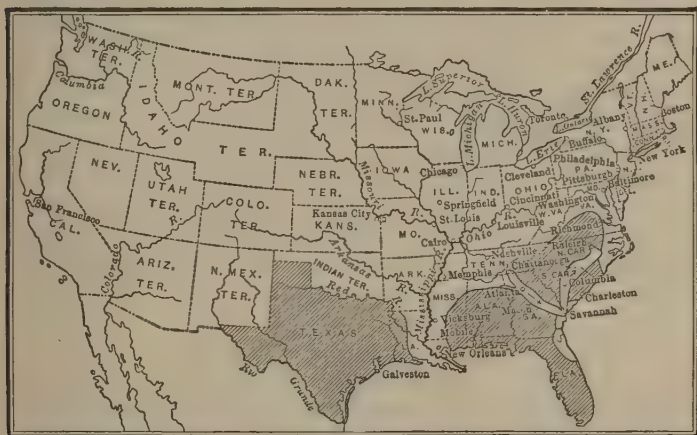
here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

Vicksburg

The tide had now turned, Over the same wires that announced the result at Gettysburg flashed the thrilling news that Vicksburg had fallen. In the autumn of 1862 Grant had set out to capture this Gibraltar of the West, and by May, 1863, he had invested the city with fortifications and with a large army. For weeks he stormed the place with shot and shell, by day and by night. But the city would not surrender. "When the last pound of beef, bacon, and flour," said General Pemberton, who commanded the forces within the city, "the last grain of corn, the last cow and hog and horse and dog shall have been consumed, and the last man shall have perished in the trenches, then, and only then, will I sell Vicksburg." At last when food was gone and further resistance seemed useless, Vicksburg surrendered and 30,000 Confederate soldiers were made prisoners of war. The surrender occurred July 4. Five days later Port Hudson fell. The Mississippi was now open throughout its entire length. Its waters, as Lincoln said, flowed unvexed to the sea. By the capture of Vicksburg Grant cut the Confederacy in twain and thus accomplished one of the great purposes of the Union plan of campaign. The beef and grain of Texas would no longer assist in feeding the Confederate armies.

There was another stronghold that must be taken before the Union forces could become the complete masters in the West. This was Chattanooga, the railroad center through which the Southern

army in the West coöperated with the army in Virginia. Grant had been desirous for the Union troops at Murfreesboro¹ to advance against Chattanooga early in the year, but Rosecrans was slow to move. In June, 1863, however, he gave battle to Bragg and by September had driven him from Chattanooga. Bragg took a position close by in Chickamauga where on September 19 and 20 there was a bloody battle in which the right wing of the Union army was driven from the field. The left wing, however, was held by General Thomas—"the Rock of Chickamauga"—who by his firmness saved the army from a rout although he could not save it from defeat.

CHAP.
XXIIIChickamauga and
Chattanooga

Territory held by the Confederates at the close of 1863.

After the reverse at Chickamauga the Union troops withdrew to Chattanooga, where they were surrounded by Bragg and for a time threatened with starvation. But Grant, who in October had been placed in command of the armies of the West, appeared upon the scene with a fresh force, and by November 25 the Union troops had fought their way out of Chattanooga and Bragg was in full retreat. The news reached the people of the North on Thanksgiving Day. The thanks could be genuine, for the victory was of incalculable value to the Union cause. It brought the entire Mississippi Valley under the control of Federal forces, and it opened a doorway through which the Union troops from the West might pour into Virginia, the Carolinas, and Georgia.

¹ See p. 461.

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Recapitulation

Since the relief of Chattanooga was the last important event of the war in 1863 the results of the fighting in that year may now be recapitulated. Success for the most part had been on the side of the Union armies. In the East little progress had been made in the way of pushing back the Confederate lines. Eastern Virginia was still held by the Confederates and Richmond was still untaken. In the Mississippi Valley the capture of Vicksburg and of Chattanooga had resulted in spreading the Union power over new stretches of Confederate territory. By December, 1863, Louisiana, Arkansas, and Tennessee had been brought under Federal control, and Lincoln was taking measures to restore these three States to their old-time place in the Union. Indeed, the progress of the Union cause in 1863 was so marked that men in the North quite generally believed that the power of the Confederacy was broken. "The success of our arms," said the secretary of war in December, 1863, "during the last year has enabled the department to make a reduction of over \$200,000,000 in the war estimates for the ensuing fiscal year." "The crisis," said Lincoln in his December message, "which threatens to divide the friends of the Union is past." Although this optimism was justified by events, there was nevertheless a vast amount of hard fighting yet to be done.

THE CLOSE OF THE STRUGGLE

Grant Made
Lieutenant-
General

When Congress met in December, 1863, a bill was brought in on the first day of the session by E. B. Washburne of Illinois to revive the military title of lieutenant-general—a title that had hitherto been held by only Washington and Scott—and empower the President to raise to that rank the major-general who was most distinguished for courage, skill, and ability. The bill passed on February 29, 1864. Everybody knew that the honor was to be bestowed on the hero of Vicksburg and Chattanooga, and everybody believed he deserved it. Accordingly, Grant was called to Washington, where he met Lincoln for the first time at a crowded reception in the White House. On March 9 the President, presenting the great soldier with the commission of lieutenant-general, said: "With this high honor devolves upon you also a corresponding responsibility. As the country herein trusts you, so under God it will sustain you." Grant replied: "I feel the full weight of the responsibilities now devolving upon me. And I know that if they are met, it will be due

to those noble armies that have fought on so many fields for our common country and above all, to the favor of that Providence which leads both nations and men."

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Grant felt that the place where his new responsibilities must be met was in the field, and not in Washington. "I suppose you don't mean to breakfast again till the war is over," said some one to him jocularly just after he had received his commission. "Not here I sha'n't," said Grant in a tone that implied displeasure with the ways of the capital. Getting away from Washington as quickly as possible, he went to the front and after a conference with Meade decided that his place was with the Army of the Potomac. Then proceeding to Nashville he conferred with Sherman, his successor as chief of the Western armies. When the conference was finished the two generals had agreed upon a campaign of concerted action between the armies of the East and those of the West. According to the plan Grant was to fight Lee in Virginia, while Sherman was to attack Johnston at Dalton, conquer Georgia, and move northward with the purpose of joining the Army of the Potomac in Virginia and assisting Grant in the capture of Richmond. Both generals were to begin their movements on the same day, and both were to keep on fighting continuously regardless of the season or weather. It was to be a concentric movement that was to press the life out of the Confederacy. The struggle was bound to be titanic, for on January 1, 1864, there were on the Union rolls about 860,000 men, while the Confederate armies numbered about 480,000. "All that has gone before," said Sherman on March 12, 1864, "is mere skirmishing. The war now begins."

"The War
Now
Begins"

On the appointed day, May 5, 1864, Sherman, leaving his headquarters in Chattanooga, began the most memorable march in the history of the war. He moved against Johnston at Dalton and drove him from his position. He then pushed on, Johnston stubbornly opposing his advance. Between Dalton and Atlanta the battles of Resaca, Dallas, Lost Mountain, and Kenesaw Mountain were fought. Before Atlanta was reached Johnston was relieved of his command and General J. B. Hood was appointed in his place. Hood tried hard to check Sherman but failed, and on September 2, 1864, Sherman took possession of Atlanta.¹

Sherman
Takes
Atlanta

¹After withdrawing from Atlanta, Hood marched toward Nashville, hoping that Sherman would follow. But since Thomas was at Nashville, Sherman did not follow. Hood attacked Thomas at Nashville, but his army suffered a disastrous rout.

Atlanta was a great railway center, and it furnished to the Confederate armies supplies of ammunition and clothing. Its capture therefore was an event of the utmost importance to the Union cause. General Thomas, when he heard that the city had been taken, "snapped his fingers, whistled and almost danced." Sherman, determining that his victory should not be a fruitless one, destroyed everything in the city that might be of service to the Confederacy. Factories and public stores were put to the torch. There was to be left in the city nothing that would be worth defending with a garrison. "If the people raise a howl against my barbarity and cruelty," he said, "I will answer that war is war, and not popularity-seeking. If they want peace they and their relatives must stop the war."

The news of the fall of Atlanta was reinforced by tidings that came from the naval world. In August Farragut entered the harbor of Mobile, the last important Gulf port of the Confederacy, and, having carried the outer defenses, closed the port completely to Confederate commerce and intercourse. With New Orleans and Mobile now under the full control of Union forces, and Charleston closely besieged, the ports of Savannah and Wilmington were the only places remaining where there was any chance of running the blockade with much success. More exciting than the news from Mobile was the announcement that the notorious *Alabama* had been sunk. The circumstances under which this cruiser was constructed and placed at the service of the Confederacy have already been described.¹ The vessel, commanded by Raphael Semmes, cruised in the Atlantic, and although she was hotly pursued for nearly two years she baffled her enemies. Never before did a single ship work so much destruction upon commerce. Her captures numbered sixty-six merchant vessels. But at last she met with a dramatic fate. "Fatigued perhaps with his success, Semmes in the summer of 1864 brought his ship back to the English Channel, and while sheltering in Cherbourg, was challenged by the *Kearsarge*, only slightly superior in size and armament. A fierce passage-at-arms took place off Cherbourg, June 19, 1864. Like fighting eagles the two ships circled at speed through mile after mile. The gunnery of the *Kearsarge* was more certain, though a shell lodged in her stern-post by the *Alabama*, had it exploded, would have been fatal. But it was the *Alabama* which sank at last beneath the waves."²

¹ See p. 455.

² J. K. Hosmer, "Outcome of the Civil War"; p. 179.

Sherman, after his drastic operations at Atlanta, started on a march across Georgia to Savannah in an even more relentless spirit. Because the Georgia farmers were supplying the Confederate soldiers with food he resolved to lay waste their country. To the governor of the State, whom he hoped to win over to the Union side, he sent a message, saying, "If you remain inert, I will be compelled to go ahead and devastate the State in its whole length and breadth." To Grant he had telegraphed: "Until we can repopulate Georgia, it is useless for us to occupy it; but the utter destruction of its roads, horses, and people will cripple their military resources. I can make the march and make Georgia howl." On November 16 with 60,000 men he started on the famous march "from Atlanta to the sea," the bands playing and the soldiers singing "John Brown's Body Lies A-Moldering in the Grave." The army moved in four columns by four parallel roads. As it advanced it cut telegraph wires, tore up railroad tracks, burned bridges, and foraged liberally. In its path it laid waste a belt of country sixty miles wide at its widest part and three hundred miles long. The thoroughness of the devastation was very well described by a negro, who, when asked by Sherman for information regarding operations on the right wing, said: "First there come along some cavalrymen and they burned the depot; then come along some infantrymen and they tore up the track, and burned it; and just before I left they set fire to the well." When the march was at an end its results were summarized by Sherman as follows: "We have consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah as also the sweet potatoes, cattle, hogs, sheep and poultry, and have carried away more than 10,000 horses and mules as well as a countless number of their slaves. I estimate the damage done to the State of Georgia and its military resources at \$100,000,000; at least \$20,000,000 of which has inured to our advantage and the remainder is simple waste and destruction. This may seem a hard species of warfare but it brings the sad realities of war home to those who have been directly or indirectly instrumental in involving us in its attendant calamities." It is pleasant to record that Sherman in after years could write, "I never heard of any cases of murder or rape." So far as fighting was concerned the march was without incident. Nothing impeded the progress of the army, and on December 21 it entered Savannah in triumph. News of the victory

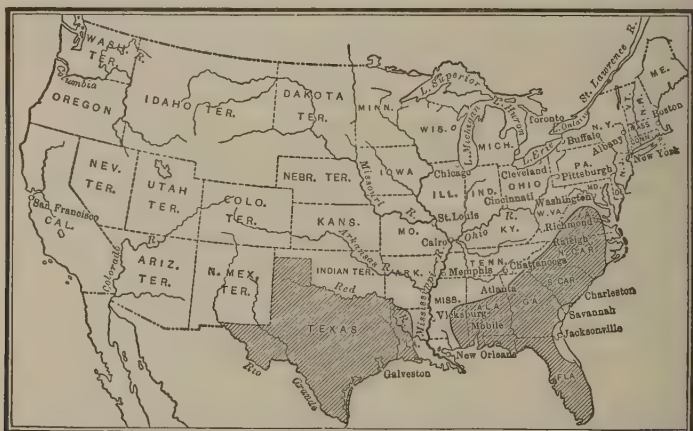
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Atlanta to
the Sea"

was received at Washington on the evening of Christmas day. "I beg to present you," said Sherman in a despatch to Lincoln, "as a Christmas gift the city of Savannah."

Sherman remained in Savannah about a month and then, with his army stronger than it was when he left Atlanta, moved northward to join Grant in Virginia. By the end of March, 1865, he had become master of a large part of South Carolina and had reached the center of North Carolina.

Grant and
Lee

While Sherman was conducting these operations in Georgia and the Carolinas great things were happening in Virginia. On the day



Territory held by the Confederates at the close of 1864

agreed upon, May 4, 1864, Grant, with 130,000 men set out to capture Richmond, and ten months of sickening carnage followed. He crossed the Rappahannock River and plunged into the country known as the Wilderness, where he met Lee with 70,000 men. The fighting here was fierce and the loss of life frightful. Emerging from the Wilderness Grant by a flank march engaged the Confederates at Spottsylvania Court-house, where he fought for five days, losing thousands of his men, but failing to defeat the enemy. Grant was going to win by incessant pounding. In this policy of persistence he was supported by the President. "Hold on," said Lincoln in his quaint fashion in a despatch to Grant, "hold on with a bull-dog grip and choke and chew as much as possible." From Spottsylvania Grant pushed forward and attacked the Con-



W. H. Grant
General Butler

federates at Cold Harbor only to be beaten back with terrible slaughter. But winning or losing he pressed on. He hurried past Richmond with the view of capturing Petersburg, which was simply a back door through which the Confederate capital might be reached. But Petersburg had been reached first by Lee, and a long siege was necessary before it could be taken.

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While Grant was before Petersburg the Shenandoah Valley was the scene of stirring events. In July Lee ordered General Early to move down the valley with 20,000 men and threaten Washington, hoping that in this way he would draw Grant from the siege of Petersburg. Early made a bold dash down the valley and at one time was within six miles of Washington. He even invaded Pennsylvania and set fire to the town of Chambersburg. General Philip Sheridan was sent after Early with orders from Grant to "go in." Sheridan "went in" with a vengeance. He defeated Early at Winchester and sent him "whirling up the valley." He then laid the beautiful valley waste: the devastation was so complete that "a crow flying over the country would need to carry his provisions with him."

Sheridan in
the Valley

Early was quickly reinforced after his defeat at Winchester, and during Sheridan's absence he attacked the Union army at Cedar Creek, defeated it, and sent it fleeing down the valley in confusion. Sheridan at the time was at Winchester, thirteen miles away, and hearing

The terrible grumble and rumble and roar,
Telling the battle was on once more,

put spurs to his horse and galloped toward his army. As he dashed along, he met some of his men running from the enemy. To the fugitives he cried out: "Never mind, boys, we are all right! We will whip them yet!" These words of encouragement caused the soldiers to turn and follow their leader, who renewed the battle against Early and defeated him.

After Sheridan had finished his work in the Shenandoah Valley he returned to Petersburg to assist Grant. The siege of the stronghold continued for several months. Grant drew his lines ever tighter and tighter, and at last on April 3, 1865, Petersburg fell, and with it fell Richmond.

The fall of Richmond marked the end of the war and the downfall of the Confederacy. Lee, after leaving the city he had defended so bravely for nearly four years, attempted to break through the Union

Appomattox

lines; but he was checked at every step by a greatly superior force, and there was nothing for him to do but lay down his arms. On April 9, 1865, at Appomattox Court-house, he surrendered to Grant his army of 28,000 men. As he took leave of his soldiers he said: "Men, we have fought through the war together. I have done the best I could for you." Grant in his hour of triumph was courteous and kind. He did not require Lee to give up his sword; he allowed Lee's soldiers to keep their horses, saying they would need them to work their little farms; he gave the conquered army enough food to last five days.

After the fall of Richmond, President Davis, with his cabinet and clerks, went to Charlotte, North Carolina; but the surrender of Johnston to Sherman near Raleigh on April 26 made it necessary for the Confederate Government to disband and flee. Davis made his way to Georgia, but was captured at Irwinville on May 10, 1865. He was sent to Fortress Monroe, in Virginia, where he was held a prisoner until 1867, when he was released on bail.

Demobiliza-
tion

At the close of the war there were altogether about 1,000,000 men in the Union ranks. Immediately after the surrender of Lee, however, demobilization began, and between May and November about 800,000 men left the colors to become private citizens. The rapid mustering out of the troops was a thing to be expected, for in the United States a great army becomes an eyesore the moment the fighting is over. The disbandment of the regiments was effected without friction or difficulty. "The change in conditions," says Rhodes, "was made as if it were the most natural transformation in the world. These soldiers were merged into the peaceful life of the communities without interruption to industry, without disturbance of social and moral order."

Suggested Readings

Fort Donelson and Shiloh: Ropes, Vol. II, pp. 3-96.

Vicksburg: Hitchcock, pp. 295-305.

Chancellorsville: Ropes, Vol. III, pp. 149-228.

Emancipation: Rhodes, Vol. IV, pp. 157-163; Davis, Vol. II, pp. 169-187.

Gettysburg: Ropes, Vol. III, pp. 402-499.

The downfall of the Confederacy: Davis, Vol. II, pp. 445-450.

The Civil War: F. L. Paxson.

XXIV

WAR TIMES NORTH AND SOUTH

HAVING reviewed in brief fashion the military operations of the Civil War, we may now take a glance at the industrial and political life of the period. How was the war supported? What were the politicians doing while the soldiers were at the front? What, in brief, was the civilian background of the struggle?

KEEPING THE RANKS FILLED

The total enlistments during the Civil War on the Union side for the whole period numbered about 2,500,000, a proportion of the military population much greater than that which was brought into service in our war with Germany. The number of troops furnished by each of the several States is shown in the following table:

The Number
of Union
Troops

Alabama	2,576	Mississippi	545
Arkansas	8,289	Missouri	100,616
California	15,725	Nebraska	3,157
Colorado	4,903	Nevada	1,080
Connecticut	51,937	New Hampshire	32,930
Dakota	206	New Jersey	67,500
Delaware	11,236	New Mexico	6,561
District of Columbia	11,912	New York	409,561
Florida	1,290	Ohio	304,814
Illinois	255,037	Oregon	1,810
Indiana	193,748	Pennsylvania	315,017
Iowa	75,797	Rhode Island	19,321
Kansas	18,069	Tennessee	31,092
Kentucky	51,743	Texas	1,965
Louisiana	5,324	Vermont	32,540
Maine	64,973	Washington	964
Maryland	33,995	West Virginia	31,872
Massachusetts	122,785	Wisconsin	91,029
Michigan	85,479		
Minnesota	23,913	Total	2,494,592

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Volunteer

How were the armies raised and how were the ranks kept filled? Broadly speaking, on the Union side the war was fought entirely by volunteers coming forward from civil life without experience in the art of war. The fighting units consisted almost entirely of the volunteer regiments of the States, for at no time from Sumter to Appomattox did the regular army reach an aggregate strength of 25,000 men. The volunteer learned rapidly and whether as a private or officer he generally acquitted himself well, although volunteer officers sometimes proved to be failures. "We tried," says General Sherman, "about every system known—voluntary enlistments, the draft, and bought substitutes,—and I think that all officers of experience will confirm my assertion that the men who enlisted at the outbreak of the war were the best; better than the conscript, and far better than the bought substitute." Yet the volunteer system had to be supplemented by measures of compulsion. By March, 1863, owing to discouragement, war weariness, and other causes, volunteering had fallen off to such an extent that it seemed necessary for the Government to resort to the draft. Accordingly the Conscription Act was passed. Under this law, the first of its kind in our history, all persons subject to military duty—that is all able-bodied men between the ages of twenty and forty-five—were to be enrolled, and in localities where quotas could not be filled by voluntary enlistment conscription was to be brought into use. Any person drafted could furnish a substitute or pay \$300 to the Government as an exemption. As a method of keeping the ranks filled conscription in the North was virtually a failure, for the number of soldiers secured in this way was insignificant when compared with the number of volunteers. In the South resort was had to conscription much earlier than in the North. In April, 1862, the Confederate Congress passed a law making all citizens between the ages of eighteen and thirty-five liable to military duty. Later all males between eighteen and fifty-five were conscripted, and before the war closed almost the entire adult male population of the South could be legally called upon either to enlist in the army or to assist in the raising of supplies. In the last days of the war the Confederate Congress passed an act enrolling slaves in the Confederate army, each State to furnish its quota, but not exceeding one quarter of its slaves.

Conscrip-
tionOpposition
to Conscrip-
tion

The execution of the conscription laws was attended with a great deal of trouble both at the North and at the South. In North

Carolina where the opposition to compulsory service was bitter, the legislature of the State formally protested against the policy of conscription and enacted a law in direct contravention of the Confederate act. In the North opposition to the draft was widespread. In Pennsylvania, Indiana, and Ohio there was forcible resistance, and the enrolment officers in some places were murdered while in discharge of their duties. In New York City, when officers undertook to enlist men by means of the draft, rioting began, and for four days the city was at the mercy of a mob. Much of the unpopularity of the Conscription Act was due to the provision which allowed a man to escape service by paying \$300 into the Treasury of the Government. This was denounced as an unworthy device by which the rich man was enabled to transfer his burden of military duty to the back of the poor man.

One of the devices for keeping the ranks filled by volunteering was the *bounty*. This form of pecuniary inducement was held out to the poor man by the Government, by States, by counties, and by municipalities. For example, in "The New York Times" of February 15, 1864, was this advertisement: "30,000 volunteers wanted. The following are the pecuniary inducements offered: County bounty, cash down, \$300; State bounty, \$75; United States bounty to new recruits, \$302, additional to veteran soldiers \$100." In addition to these bounties, amounting in all to \$677 (or \$777), the soldier enlisting would receive \$16 a month with clothing and rations. The bounty system brought into existence the crime known as "bounty-jumping." "These pickpockets and vagabonds," says Rhodes, "would enlist, take whatever bounty was paid in cash, desert when opportunity offered, change their names, go to another district or State, reënlist, collect another bounty, and go on playing the same trick until they were caught or until such chances of gain were no longer available." One man was reported as having jumped his bounty thirty-two times, thereby securing for himself a small fortune.

Yet in spite of draft evasions, desertions, and bounty-jumpers, the ranks were not only kept full but the armies of the North and those of the South as well continued to grow and grow until they reached vast proportions. On January 1, 1863, the Union army contained over 900,000 men and the Confederate army nearly 700,000. When the war closed there were in the Union ranks more than 1,000,000 soldiers ready for duty. These figures, when com-

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pared with those showing the total military population,¹ indicate in the clearest manner that each of the warring sections was in the fullest sympathy with the cause for which it fought.

KEEPING MONEY IN THE WAR CHEST

The Cost of
the War

The cost of the war in lives was enormous. On the Union side more than 360,000 men were killed in battle or died of wounds or diseases. How many gave up their lives for the Confederacy cannot be accurately stated, but it is likely that the South suffered as heavily as the North. The cost in money was something like \$8,000,000,000. This was proportionately a far greater drain upon the nation's resources than that produced by the war with Germany. The cost to the North was about \$5,000,000,000. Including the loss to masters caused by the emancipation of slaves, who were valued at about \$2,000,000,000, the cost of the war to the South was in the neighborhood of \$3,000,000,000. Never in any war that had ever been fought had there been, in the same length of time, a national expenditure so great as that which was made by the United States during the period of the Civil War.

An Empty
Treasury

The National Treasury at the beginning of the conflict was virtually empty. Luckily the secretary of the treasury was a man who could grapple successfully with difficult financial problems. In one way and another Chase managed to keep enough money in the war chest. In order to raise the enormous sums required it was necessary for him to resort to every expedient known to public finance. Unusual taxes had to be levied; money had to be borrowed by issuing bonds and short-term notes; large amounts of paper money had to be put into circulation. In the four years of the war Congress raised by taxation \$667,000,000; it borrowed more than \$2,500,000,000; and it issued more than \$450,000,000 in paper money (greenbacks).

A War
Tariff

The only national tax to which Americans were accustomed when Chase entered upon his duties was that which was laid upon imports. In the closing days of Buchanan's administration a law known as the Morrill Tariff Bill had increased the duties on certain articles. This was not, however, a war tariff, for the war had not yet begun. In July, 1862, the imposts were materially increased and in 1864 they were raised still higher. Under the law of 1864

¹ See p. 456.

the average rate on dutiable articles was 47 per cent. But the revenue derived from the tariff could only be a drop in the bucket. New taxes must be imposed. Coincident with the raising of the tariff in 1862 came the internal revenue tax, which in the early days of the Republic had been so hateful to the people. The internal revenue measure of 1862 included rates upon such liquors as spirits, ales, beer, and tobacco; licenses upon occupations; duties upon manufactures, upon carriages, yachts, billiard-tables; upon slaughtered cattle, hogs, and sheep; upon railroads, steamboats, and ferry-boats; railroad bonds, banking institutions, and insurance companies; upon salaries and pay of officers in the service of the United States. Indeed we may say, using the language of Sydney Smith, that the law imposed a tax upon virtually "every article which enters into the mouth, or covers the back, or is placed under the foot; upon everything which is pleasant to see, hear, feel, smell or taste; upon warmth, light, and locomotion; upon the sauces which pamper man's appetite and the drug that restores him to health; upon the poor man's salt and the rich man's spice." An income tax, novel to the American taxpayer, was also imposed. At first this tax was 3 per cent. with an exemption of \$800; but the rate increased until incomes between \$600 and \$5000 were taxed at 5 per cent and above \$5000 at 10 per cent.

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Revenue
Tax

But taxation at its heaviest could hardly more than cover the bottom of the bucket. To meet the expenditures the fountains of credit had to be opened. War, besides meaning death and devastation, also means debt. Borrowing began in earnest just before the first Battle of Manassas when Chase on July 17, 1861, was authorized by Congress to sell bonds to the amount of nearly \$250,000,000, the interest to be 7 per cent. For those days the negotiation of such a sale was a transaction of gigantic proportions, yet by the end of November the secretary had borrowed nearly \$200,000,000. The sale of the bonds was managed by the banks of New York, Philadelphia, and Boston, but the people were given an opportunity to purchase. The response was gratifying to the Government. In all parts of the North patriotic citizens invested in bonds largely and to the extent of their ability. "My wife and I," said Asa Gray in October, "have scraped up \$550, all we can scrape, and lent it to the United States." Jay Cooke of Philadelphia kept his bank open from eight in the morning till five in the afternoon in order that working-men might invest. Writing to Chase in Sep-

Opening the
Fountains
of Credit

tember, Cooke gives the following description of a scene in his office:

This has been a hard day. I have been at it from 8 A. M. till after 5—a continual stream, clergy, draymen, merchants, girls, boys and all kinds of men and women. Some of our citizens who came in—I mean those of mark—went out almost with tears in their eyes, so overjoyed at the patriotic scene. We gave the day almost exclusively to smaller subscribers, 106 subscribed to-day and it's no small job to explain to so many ignorant people the whys and wherefores. I am glad to say that they all went away happy and delighted and we bagged over \$70,000 as the day's work.

Exacting tax-gatherers and willing lenders combined could not furnish enough sound money to meet the rapidly mounting budget. The fighting had not more than fairly begun when statesmen saw that this war, like all others, must be fought largely with paper. Chase, therefore, reluctantly asked Congress for an issue of United States notes with legal tender power. Accordingly the Legal Tender Act of February, 1862, was passed, authorizing an issue of \$150,000,000 in notes which were to be received as lawful money and legal tender for all debts public and private, except customs duties and interest on the public debt, which were to be payable in coin. This was the first paper money law ever passed by the Federal Congress. Never before had a Federal statute made anything but gold and silver coin a legal tender, and there was a great deal of grumbling about this revolution in finance. Morrill of Vermont spoke of the bill as "a measure not blessed by one sound precedent, and damned by all." But the measure was justified on the ground that the salvation of the country depended upon it. "Rather than yield to revolutionary force," said John Sherman, "I would use revolutionary force." As the war proceeded other issues of United States notes were made, and before the struggle ended there were more greenbacks—as the notes were popularly called—in circulation than all other forms of money combined. In August, 1865, one of the items in a statement of the national debt was \$433,000,000 in non-interest-bearing legal tenders. With the appearance of the greenbacks came violent fluctuations in currency values. The paper money, always below par, rose and fell with the fortunes of war. Generally a dollar of the paper currency

was worth from sixty to eighty cents in gold, although in the summer of 1864 the depreciation was so great that a dollar of the greenback money was worth only about forty cents in gold.

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The greenbacks of the Civil War are still with us, although when they were issued no one contemplated their retention as a permanent part of our currency system. In February, 1863, Chase succeeded in securing the passage of a bill which he hoped would speedily eliminate the greenback. This was the National Banking Act, designed to furnish the people with a safe and uniform currency. In the debate on this measure Sherman, alluding to the greenbacks, said they "could be used only during the war. The very moment that peace comes, all this circulation . . . will at once be banished. The issue of Government notes can only be a temporary measure." There was other money to be eliminated by the National Banking Act. This was the currency issued by the State banks. At the outbreak of the war the notes of State banks amounted in all to about \$200,000,000. A considerable portion of this was good money, but much of it was worthless. Chase at the outset in 1861 asked Congress for a national currency law, but the power of the State banks was enormous and he had to wait. The law which he secured in 1863 allowed banks to organize under a Federal charter, and buy United States bonds and deposit them in the United States Treasury, there to be held as security for the bank notes, which might be issued up to 80 per cent of the par value of the bonds. The interest on the bonds held as security was to be paid to the bank depositing them. Thus the national bank received upon its invested capital two increments of interest, one from its bonds in the Treasury and the other from its notes lent to borrowers. The act was soon amended allowing an issue of notes to the extent of 90 per cent of the value of the deposited bonds. In 1865 Congress went a step further in the encouragement of the national bank by laying a tax of 10 per cent on the circulation of the State banks. This had the desired effect: the State banks, finding it unprofitable to pay the tax, redeemed and canceled their outstanding notes and ceased to issue new ones. A monopoly of issuing notes was thus given to the national banks. Favored by the Government in so many ways, the new system was bound to flourish. At the end of 1865 nearly 1600 national banks had been organized with a total circulation of over \$200,000,000. This

The
National
Banking
Act

national bank currency, being secured by government bonds and regarded therefore as sound as the Government itself, passed at par throughout the length and breadth of the land.

In the South sufficient funds for the war chest could not be raised. The Confederate Government had relied upon Southern cotton to bring the necessary money, but after the blockade became effective cotton was a valueless thing: it could neither be manufactured nor sold. The South, therefore, had to resort to methods similar to those adopted by the North. It levied a general tax on all property in the Confederacy, but the total Confederate revenue during the four years of warfare was probably equivalent to not more than \$100,000,000. The Confederate Government also attempted to borrow, and it succeeded in selling some of its bonds at home and in Europe. Yet the money raised in this way was insignificant. From first to last the chief reliance of the South was upon issues of paper money. By the autumn of 1863, \$700,000,000 of Confederate paper was in circulation, and the issues were appearing with such rapidity that the Confederate secretary of the treasury himself could not tell how many notes were printed. Before the war closed the volume of Confederate paper was considerably more than a billion dollars. For a short time the paper money circulated at its face value, but depreciation soon set in. In July, 1863, a gold dollar would exchange for nine dollars of the Confederate money; in July, 1864, it would exchange for twenty dollars; and in March, 1865, it would exchange for sixty dollars. In the very last days of the war the Confederate paper money was worthless and the Confederate treasury was bankrupt.

INDUSTRIAL AND SOCIAL CONDITIONS

The breakdown of the financial system of the Confederacy was accompanied by distressing economic conditions. As the blockade grew tighter and tighter the trade of the South was gradually strangled. Clothes, medicines, shoes, machinery, paper could be secured only at great risk and in quantities that were painfully inadequate. The mastery of the Mississippi by Union forces closed the channel through which the Southern people were accustomed to receive their food supplies. The result of this isolation was that the commercial and industrial system of the South gradually disintegrated. By 1863 there were many signs that the Confederacy

was badly out at her elbows. "There was not enough crude iron to keep at work the few foundries which the government did create and very soon rails and old iron of all varieties had to be utilized. Cloth became scarce. All materials for buttons gave out, and one prominent lady appeared at a Richmond ball in 1864 in a coarse homespun dress with buttons of gourd seeds. Paper and ink became particularly difficult to obtain, and the executive correspondence was in later years written on old envelopes split open."¹

In their efforts to meet the effects of the blockade the Southern people grew self-reliant as never before. Planters contrived to tan leather for making harness, army saddles, and coarse shoes. To meet the demand for leather the hides of horses, mules, hogs, and dogs were utilized. The few cotton-mills of the South, although they were kept running day and night, failed utterly in their attempts to supply the needs of the people, so that household industry revived. "Every household," says Miss P. A. Hague, in her instructive book, "A Blockaded Family," now became a miniature factory in itself, with its cotton cards, spinning wheels, warping frames, looms and so on. Wherever one went, the hum of the spinning wheel and the clang of the batten of the loom was borne on the ear. . . . That the slaves might be well clad the owners kept, according to the number of slaves owned, a number of negro women carding and spinning, and had looms running all the time." In order to get food a diversified agriculture was necessary. Before the war cotton was the only important crop to which the planter would give his attention, but now vegetables and cereals of all kinds were planted. "When the blockade had inclosed the South," says Miss Hague, "our planters set about in earnest to grow wheat, rye, rice, oats, corn, peas, pumpkins, and ground peas. . . . Many planters who had never grown wheat before were surprised at the great yield of grain to the acreage sown." But the brave endeavors of the planters could not repair the damage of the economic breakdown produced by the loss of the cotton trade.

In the North the commercial and industrial situation was entirely different. Here the war acted as a stimulus to prosperity. "Among the many striking features of the Civil War there is none more extraordinary than the fact that throughout the whole struggle the Northern States continued to increase in population and industrial power. Despite the fact that out of a population of about 22,000,-

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The Brave
Endeavors
of the
Southerners

The
Prosperity
of the
North

¹ R. G. Usher, "The Rise of the American People"; p. 325.

000 the total of enlistments and reënlistments was over 2,500,000, and that at the close of the war 1,000,000 men were enrolled in the Union armies, the population increased by at least 3,000,000 between 1860 and 1865, while over 4,500,000 acres of the public domain were taken up by settlers. Despite the fact that the grain States sent hundreds of thousands of men to the front, the annual production of cereals increased. For example, Indiana, which had produced about 15,000,000 bushels of wheat in 1859, produced 20,000,000 in 1863, although 124,000 of her sons (one tenth of the total population of 1860) were in the Union ranks. Despite the great demand for food-products to supply the army, the exports of wheat and provision increased even more than their production. . . . The demands for products were such, that despite the burdens of taxation and the disorganization of the finances, many new industries were established on a firm basis."¹

The causes of this prosperity are not hard to discover. For one thing, the war itself was good for business. The Government made enormous purchases and paid high prices for everything it bought. "The demands for uniforms and blankets for the armies guaranteed an almost exhaustless market for cloth. Mill after mill ran month after month exclusively upon goods for the armies in the field. Hundreds of new establishments were built. All paid great dividends upon the capital invested." Still greater was the stimulus that was imparted to the steel and iron industry. The production of pig-iron increased from 300,000 tons in 1861 to 1,000,000 tons in 1864. Invention came forward and gave to industry many new and remarkable kinds of labor-saving machinery. The shoe industry especially took on new life when the McKay sewing-machine made it possible for one man to sew the uppers to the soles a hundred times faster than they could be sewed by a pair of human hands in the old-fashioned way. But the thing that contributed most to war time prosperity was the growth of our agricultural interests. Here everything seemed favorable to increased production and financial gain. Improved agricultural machinery worked for the men who left the fields for the war, and more than made up for the loss of their labor. "The reaper," said Stanton, "releases our young men to do battle for the Union and at the same time keeps up the supply of the nation's bread." The war, it has been said, was won by McCormick's invention. Toilers

¹ "The Cambridge Modern History"; Vol. VII, p. 696.

were lured from Europe to the farms of the West by a favorable immigration law. Settlers by taking advantage of the Homestead Act—to be considered more fully hereafter¹—could secure their land for a song. Under such conditions the acreage of course increased enormously. But there was a market for all the grain the farmers raised. To the increased demand of the huge armies was added an extra call from abroad due to bad harvests. England in 1862 really needed our grain more than she needed our cotton. In the second year of the war the total exportation of American wheat reached 60,000,000 bushels. Before the war was over it was seen that the actual king in America was not the cotton of the Southern planter but the grain of the Western farmer.

Where the basic industry was so flourishing there could be little depression anywhere. "The picture of war time agriculture," says E. D. Fite, "is one of ceaseless activity and progress, of new things done on a larger scale than ever before." "Look over these prairies," said a speaker in Illinois in 1864, "and observe everywhere the life and activity prevailing. See the railroads pressed beyond their capacity with the freights of our people; the metropolis of the State rearing its stately blocks with a rapidity almost fabulous, and whitening the Northern lakes with the sails of its commerce; every smaller city, town, village, and hamlet within our borders all astir with improvement; every factory, mill, and machine shop running with its full complement of hands; the hum of industry in every household; more acres of fertile land under culture, fuller granaries, and more prolific crops than ever before; in short, observe that this State and this people of Illinois are making more rapid progress in population, development, wealth, education, and in all the arts of peace, than in any former period, and then realize, if you can, that all this has occurred and is occurring in the midst of a war the most stupendous ever prosecuted among men."²

In the train of this war time prosperity there followed the usual brood of war time evils. In the eyes of contemporaries government circles presented an orgy of profiteering, corruption, and dissolute living. Said "The Springfield Republican" in May, 1864: "It is a sad, a shocking picture of life in Washington which our corre-

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A Picture of
War-time
Progress

Frauds,
Profiteering,
and
Corruption

¹ See p. 541.

² Quoted in E. D. Fite's "Social and Industrial Conditions during the Civil War"; p. 23.

spondents are giving us. A bureau of the Treasury Department made a house of seduction and prostitution. The necessities of poor and pretty women made the means of their debauchery by high government officials. Members of Congress putting their mistresses into clerkships in the departments. . . . The Government cheated in contracts and openly robbed by its employees. Writes our most careful correspondent, a long resident at the capital—Washington was never quite so villainously corrupt as at the present time. In the worst days of Southern rule, of slavery, there was not half the corruption there is now. We do not doubt this is strictly true.” “No one can be blind,” said Robert C. Winthrop, “to the reckless extravagance, the dishonest contracts, the gambling speculations . . . which have followed with still accelerating steps in the train of the terrible struggle with which we are engaged.” In making its purchases for war the Government was cheated outrageously. A government contract was looked upon as being a passport to a fortune. “Men,” said J. R. Lowell, “have striven to make the blood of our martyrs the seed of wealth.” One committee uncovered frauds of \$17,000,000 in \$50,000,000 worth of contracts. According to an estimate made by a careful investigator more than \$700,000,000 “was paid to public robbers, or worse than wasted, through corrupt methods.”

In the mad strife for gain considerations of patriotism sometimes counted for little. Northern merchants carried on with the South contraband trade in cotton in spite of the fact that one of the main objects of the Union campaign was to prevent cotton from getting out of the South. The mill owners of the North wanted cotton for their mills and were willing to pay exorbitant prices for it, even though to assist in marketing it was giving aid and comfort to the enemy. The Government at Washington offered but a feeble resistance to the traffic, but the Northern generals in the field were strongly opposed to it. “My own opinion is,” wrote Sherman in October, 1862, “that all trade should be absolutely prohibited to all districts until the military commander notifies the Government that the rebellion is suppressed in that district. . . . The great profit now made is converting everybody into rascals and it makes me ashamed of my countrymen every time I have to examine a cotton or horse case.” Since cotton could be bought within the lines of the Confederacy for fifteen cents a pound and sold in Boston for a dollar a pound the profit was so enticing that many men in respon-

sible positions yielded to the temptation of carrying on the illicit trade. As a result, not only food but bullets and powder found their way to the Confederate armies. "The question of profit," said Lincoln in condemnation of the trade, "controls all, regardless of whether the cotton seller is loyal or rebel, or whether he is paid in corn-meal or gunpowder."

In 1864 Congress, recognizing the absurdity of furnishing the enemy with supplies that enabled him to prolong the war, passed a law placing the proper restrictions upon the trade. But before this action was taken the South had succeeded in selling more cotton to the North by the overland routes than it could to Great Britain by running the blockade. While the trade yielded enormous profits it nevertheless gave rise to charges of corruption that must have made the cheeks of some men high in authority tingle with shame. A joint committee of Congress reported in March, 1865, that the trade had been of no benefit to our Government. "It has tended to the demoralization and corruption of the army and navy. . . . It is believed to have led to the prolongation of the war."

If the illegal cotton trade tended to prolong the struggle it did something that was not altogether displeasing to the profiteers and to thousands of the newly rich who for the first time in their lives were tasting the joys of luxurious living. As the war went on and wealth piled up luxury flaunted itself as never before in our history. In the eyes of an English observer—the correspondent of the London "Times,"—the indulgence in pleasure and extravagance was simply shocking. "They have the money, well or ill gotten, and must enjoy it." Never before were the importations of foreign finery so heavy. "We are clothed in purple and fine linen," said "The Chicago Tribune," "wear the richest laces and jewels and fare sumptuously every day." These words were written on the very day of the bloodiest fighting at Spottsylvania. It does not seem, however, that the awful slaughter caused widespread mourning among the people or diverted them from their worldly ways of living. Said the New York "Independent" on June 25, 1865: "Who at the North would ever think of war, if he had not a friend in the army, or did not read the newspapers? Go into Broadway, and we will show you what is meant by the word 'Extravagance.' Ask Stewart about the demand for camel's hair shawls, and he will say 'monstrous.' Ask Tiffany what kind of diamonds and pearls

are called for. He will answer 'the prodigious,' 'as near hen's egg size as possible,' 'price no object.' What kind of carpetings are now wanted? None but 'extra.' Brussels and velvets are now used from basement to garret."¹

But the heart of the nation was sound. By the side of the gaiety and the extravagance, the vices and the meannesses, there were countless manifestations of self-devotion and public spirit. The responsibilities of war were not forgotten nor were the boys at the front neglected. Men and women by the thousands worked day and night to mitigate the sufferings of the sick and the wounded. Early in the conflict the United States sanitary commission—the Red Cross of a later day—was organized as an agency of mercy and relief.² The main purpose of this commission was to supplement the work of the Government in the field, in the camp, and in hospitals. During its existence it received in the form of voluntary contributions collected at fairs held in thousands of cities and villages nearly \$7,000,000. The entire value of the service rendered by the Commission to soldiers was estimated to be close to \$35,000,000. Another beneficent body working for the good of the soldiers was the United States Christian commission, organized under the auspices of the Young Men's Christian Association. The object of the Christian commission was to promote "the spiritual good of the soldiers and incidentally their intellectual refinement and social and physical comfort."

In the task of supporting the men at the front women took the lead, making sacrifices and rendering services that won the admiration of the world. Women took the place of men on the farms, in the factories, at the counter, and in the school-room. In hundreds of cities and towns there were soldiers' aid societies composed of women who knitted, rolled bandages, and prepared necessities and gifts for the men on the battle-line. Thousands of women went to the scene of war, where as nurses they risked their lives and endured the hardships of war. President Lincoln, speaking in Washington at the close of a fair held by the sanitary commission, said: "In this extraordinary war, extraordinary developments have manifested themselves, such as have not been seen in former

¹ Quoted in Fite's "Social and Industrial Conditions during the Civil War"; p. 260.

² The Red Cross Society was in existence during the last years of the Civil War; but, having had its origin in Europe, its activities did not reach America until after hostilities closed.



WOMAN'S WORK IN THE CIVIL WAR

wars; and amongst these manifestations nothing has been more remarkable than these fairs for the relief of suffering soldiers and their families. And the chief agents in these fairs are the women of America. I am not accustomed to the use of language of eulogy; I have never studied the art of paying compliments to women; but I must say that if all that has been said by orators and poets since the creation of the world in praise of women were applied to the women of America, it would not do them justice for their conduct during the war. I will close by saying, God bless the women of America." And what was said in praise of Northern women could have been said as truly of Southern women. For the women of the South were as devoted as their Northern sisters, and their sacrifices and deeds of mercy were as great.

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WAR TIME POLITICS

Politics in war time revolved around the conflict that was raging, and the central political figure was the man who was charged with the responsibility of conducting the war. This responsibility was greater than any preceding President had to bear. "An empty treasury," says J. R. Lowell, "was called upon to supply resources beyond precedent in the history of finance; the trees were yet growing and the iron unmined with which a navy was to be built and armored; officers without discipline were to make a mob into an army; and above all the public opinion of Europe . . . was either contemptuously sceptical or hostile. . . . A war which may fairly be reckoned the most momentous of modern times, was to be waged by a people divided at home, unnerved by fifty years of peace, under a chief magistrate without experience and without reputation, whose every measure was sure to be cunningly hampered by a jealous and unscrupulous minority." For the first time in our history the President was compelled to feel that he was the head and hand of the nation and that he must act upon the maxim that the first duty of a government is to defend and maintain its own existence. This awful responsibility Lincoln accepted without flinching. "Even in his freest moments," said Charles A. Dana, "one always felt the presence of a will, and an intellectual power which maintained the ascendancy of the President. In his relation to the Cabinet it was always plain that he was the master and they were the subordinates. They constantly had to yield to his

Lincoln's
Responsi-
bility

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"Trust the
Executive"

will, and if he ever yielded to them it was because they convinced him that the course they advised was judicious and appropriate."

But the executive power, even though it was stretched to the breaking-point, could not have availed to win the war without the support of the legislative branch. This support Congress cheerfully and freely gave. Throughout the conflict the watchword of the lawmakers was "Trust the Executive." In 1861, Congress created the Joint Committee on the Conduct of the War, a committee similar to one that was proposed in the war with Germany, but which was not actually created owing to President Wilson's determined opposition. The joint committee, composed of three members of the Senate and four of the House, was charged with the duty of inquiring into the conduct of the war and was empowered to send for persons and papers and to hold meetings whenever either branch of Congress was in session. President Wilson was afraid that a committee of this kind would prove to be a public calamity, but President Lincoln found that the joint committee was a helpful organ. It did not hamper him in the least in the conduct of the war, while it brought to him much useful information and kept him in wholesome touch with Congress.¹

Taking
Over the
Railroads

Among the war time laws was an act passed in January, 1861, giving the President authority to take possession of railroad and telegraph lines. "Be it enacted," ran the law, "that the President of the United States, where in his judgment the public safety may require it, be, and he is hereby authorized to take possession of any or all the telegraph lines in the United States, their offices, and appurtenances; to take possession of any or all the railroad lines in the United States, their rolling stock, their offices, shops, buildings, and all their appendages and appurtenances; to prescribe rules and regulations for the holding, using, and maintaining of the aforesaid telegraph and railroad lines, and to extend, repair, and complete the same, in the manner most conducive to the safety and interest of the Government; to place under military control all the officers, agents, and employees belonging to the telegraph and railroad lines thus taken possession of by the President, so that they shall be considered as a post road and a part of the Military Establishment of the United States, subject to all the restrictions imposed by the rules and articles of war." A director of railroads

¹ Among the members of the committee were Senators Benjamin F. Wade of Ohio, Zachariah Chandler of Michigan, and Andrew Johnson of Tennessee.

was appointed and many lines, chiefly in the border States, were taken over by the Government. The mileage of the roads thus operated was 2105, the net expenditures of governmental control was about \$30,000,000, and the total number of men employed was about 25,000. The roads were transferred back to their owners in August, 1865.

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A constant task of the Government was to counteract the influences of disloyalty, for in almost every section of the North and West there was a disaffected element. In dealing with this problem the President and his subordinates pursued a course that was so arbitrary and autocratic that even the friends of the Union and administration were constrained to protest in the name of freedom. Governor Curtin of Pennsylvania, one of the great "war governors" and a devoted supporter of Lincoln, protested against the despotic acts of the Government and demanded that Congress intervene with restraining legislation. The number of political prisoners arbitrarily arrested and incarcerated upon charges of treason, disloyalty, discouraging enlistments, and similar offenses must be counted by the thousands. "The prisoners," says Professor Dunning, "that crowded the forts in which they were confined constituted a most heterogeneous aggregation. . . . There were Southerners who claimed to be alien enemies but were charged with being traitorous citizens; there were Northerners charged with offenses that were no crimes, or held in many cases with no charge at all."¹ If an accused person attempted to secure justice through the process of judicial procedure he found that the regular courts were closed. For early in the war Lincoln authorized the suspension of the writ of habeas corpus, with the result that all persons charged with discouraging voluntary enlistments, resisting militia drafts, or being guilty of any disloyal practice were subjected to martial law and had to be tried by court martial or by a military commission. Lincoln believed that authority for suspending habeas corpus rested wholly with himself, and when Congress sought to assert its own authority in the matter in March, 1863, by passing a law regulating the suspension of this writ and providing for the trial of "political prisoners," he gave such little heed to the statute that in a few months its provisions were unfamiliar to him and to all the members of his cabinet except Chase.² The intervention of

"Political
Prisoners"

¹ "American Historical Review"; Vol. XXIV, p. 626.

² Rhodes, "History of the United States"; Vol. IV, p. 222.

Congress, therefore, did little to check arbitrary arrests. The writ of habeas corpus was suspended or disregarded at any time and in any place where the President or Federal officials deemed such action necessary.

Lincoln himself did not deny that he sometimes did things that were not strictly in accordance with the Constitution. When he went contrary to the strict letter of the law, he did so, he said, to save the nation. He felt that if he saved the nation he would save the Constitution with it, but that if the nation should be lost, the Constitution also would be lost. "Often a limb," he said, "must be amputated to save a life; but a life is never wisely given to save a limb." This, of course, was another way of saying that in time of war laws are silent. But the President assured his people that they need not be fearful lest they lose their liberties. He was no more able to believe, he said, that military arrests during the war would result in depriving Americans permanently of their rights through the coming days of peace than he was able to believe that a man could contract so strong an appetite for emetics during temporary illness as to persist in feeding upon them during the remainder of his healthful life. The "emetics" were administered by the tenderest and most sympathetic of physicians. The arbitrary methods of the President were not accompanied by the spirit of tyranny. When there was injustice done by arbitrary arrests it was inflicted by subordinates. Lincoln himself could not have been a tyrant if he had tried; his mood and temper unfitted him for the rôle of despot. In all cases he wielded power with reserve and moderation.

Throughout the war Lincoln was harassed and thwarted in Congress and outside by peace Democrats—Copperheads they were called—who, believing that the South could never be conquered, demanded a negotiated peace.¹ The leader of the Copperheads was C. L. Vallandigham, an Ohio lawyer who represented his district in Congress from 1857 until 1863. In May, 1863, this prince of agitators made a speech at Mount Vernon, Ohio, in which he denounced the war that was being waged against the South and in an outburst of vehemence characterized an order of General Burnside forbidding treasonable utterances as a base usurpation of arbitrary power, saying that he despised it and spat upon it.

¹ They were called copperheads because they wore the liberty head cut from an old copper cent as an emblematic badge.

Within a few feet of him stood Burnside's officers in civilian dress taking notes. A few days later Vallandigham was taken out of bed at his home in Dayton and conveyed to Cincinnati, where he was tried before a military tribunal and condemned to imprisonment. There was no doubt that Burnside overstepped his powers, for the statute of March 3, 1863, required that the secretary of war should report the arrest to the Federal judge and that a civil trial should follow. But the plain words of the law were disregarded and a military trial was held. The incident caused Horatio Seymour of New York to declare that the arbitrary course of the Federal authorities "will determine in the minds of more than one half of the people of the loyal States whether this war is waged to put down rebellion at the South, or to destroy free institutions at the North." Lincoln doubted the wisdom of the arrest, yet he upheld Burnside. He commuted Vallandigham's sentence, however, from confinement in prison to banishment and directed that he be sent beyond the Union lines into the territory of the Confederacy. Accordingly the leader of the Copperheads was taken to the front and under a flag of truce was abandoned at a point which lay within the center line of Confederate pickets.

After remaining for a while in the South, Vallandigham went by way of Bermuda to Canada, "where he spoke as a martyr to his fellow democrats with a voice of greater power than if he had been able to declaim from the stump in every county of Ohio." As a remonstrance against his martyrdom he was nominated by his party for governor of Ohio in 1863, and the hearty response to his nomination made it seem for a while that he might be successful at the polls. But the full force of the administration was thrown against him, and he was overwhelmingly defeated. After the election he was permitted to return to Ohio unnoticed by the Government. Now that he was no longer a martyr his power as an agitator began to wane.

Yet the spirit of Vallandigham had its manifestations in the Presidential election of 1864. Indeed it was Vallandigham's own person that dominated the Democratic national convention that met in Chicago, and it was his own hand that wrote the most significant utterance of the platform, to wit: "That the convention does explicitly declare as the sense of the people, that after four years of failure to restore the Union by the experiment of war, humanity, liberty and the public welfare demand that immediate efforts be

McClellan a
Presidential
Candidate

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made for a cessation of hostilities, and that a convention or some other unmilitary means be employed that peace may be restored on the basis of the Federal union of the States." General McClellan was named by the convention as the presidential candidate. He accepted the nomination, but in his letter of acceptance he repudiated the pivotal resolution of the platform. The convention had said, peace first and Union afterward, if it could be had. McClellan said he could not look his old comrades in the face and say that. He was for Union first and then peace. Lincoln was frankly a candidate for reelection. He did not believe it was good policy to "swap horses while crossing a stream." There was opposition to his nomination from two sources, from radical Republicans who thought his attitude toward the South was too lenient, and from conservatives who thought he managed affairs with too strong a hand. The radicals, denouncing Lincoln for his "imbecile and vacillating" policy, held a convention at Cleveland and nominated J. C. Frémont for the Presidency. When the President heard of their action and was told that there were 400 at the Frémont gathering he turned to his Bible and read to his secretaries from I Samuel, Chap. xxii, v. 2: "And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him; and he became a captain over them: and there were with him about four hundred men." But the radicals, finding that their followers were few, gave up the contest. Before the election was held, Frémont dropped out of the campaign. The conservative Republicans urged Chase to become a candidate. The secretary took kindly to the idea, for he felt that he had a great popular following and he was extremely querulous and critical of Lincoln. An organization supporting Chase came into existence, but his candidacy speedily collapsed. When the Republicans held their convention in Baltimore in June Lincoln received the votes of all the delegates of every State, except those of Missouri, which were cast for General Grant. For Vice-President, Andrew Johnson of Tennessee was nominated.

Lincoln
Renomi-
nated

Abolition

The Republicans went before the country pledging themselves as Union men to do everything in their power "to aid the Government in quelling by force of arms the rebellion now raging against its authority," and declaring that since slavery was the cause of the war, justice and the national safety demanded its utter and complete extirpation from the soil of the republic. They approved

of the Emancipation Proclamation and favored an amendment to the Constitution forever prohibiting the existence of slavery within the limits or the jurisdiction of the United States. Thus the party which four years before was ready only for the restriction of slavery was now committed irrevocably to abolition.

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In the Presidential contest of 1864, bullets furnished argument for the ballots cast for the victorious party. Throughout the campaign the thoughts of the people were centered upon the war, and political hopes rose and fell with the varying fortunes on the field. When the Union troops suffered reverses the prospect of the Democrats brightened; for it seemed that after all they were right, that the South could not be conquered and that a negotiated peace would have to be made. On the other hand, news of Confederate defeats meant fresh hope for the Republican party. For a time the outlook for the President was not very encouraging. In August Lincoln himself wrote: "For some days past it seems exceedingly probable that the Administration will not be reëlected." But in the autumn Union victories caused the omens of defeat to be dispelled. "Sherman and Farragut," said Seward, "have knocked the bottom out of the Chicago nomination." Seward read the signs aright. When the vote was taken on November 8 Lincoln received 212 electoral votes while McClellan received only twenty-one.

Lincoln
Reëlected

Lincoln had not mistaken the temper of the people; they wanted to press on and finish what they had begun. Nevertheless, soon after the election there was a determined drive for a negotiated peace. Lincoln had no objection to a peace of that kind provided the integrity of the Union should not be a subject of negotiation. When in January, 1865, overtures came to him from Southern leaders for a preliminary peace conference he signified his willingness to receive agents in an informal manner. Accordingly, on February 3 he attended in person a conference held at Hampton Roads on board a steamboat which lay at anchor near Fortress Monroe. But the differences between the Northern members of the conference—one of whom was Seward—and the Southern commissioners were so radical that agreement was impossible. When Stephens, one of the Confederate commissioners, pleaded for an armistice, Lincoln pointedly refused one on any terms unless the question of reunion should be first disposed of. Since the South was fighting for independence, the Southern commissioners could not promise to abandon the Confederacy. The conference accord-

The
Conference
at Hampton
Roads

ingly came to an end, the Confederate representatives returning to Richmond aware that there was nothing left for the South but entire submission. When the terms of peace as proposed by Lincoln were reported to Davis he denounced them bitterly and rejected them.

Lincoln's second inauguration was now only a few weeks ahead. His reelection was the first of its kind since Jackson's time. The inaugural address was delivered at the east portico of the Capitol before an immense throng. The address was the briefest ever delivered by a President upon an inaugural occasion. Yet no other address was ever marked by such pathos and power. In the last great message to his fellow-countrymen the President said :

At this second appearing to take the oath of the Presidential office there is less occasion for an extended address than there was at the first. Then a statement somewhat in detail of a course to be pursued seemed fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself, and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago all thoughts were anxiously directed to an impending civil war. All dreaded it, all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to *saving* the Union without war, insurgent agents were in the city seeking to *destroy* it with war—seeking to dissolve the Union and divide effects by negotiation. Both parties deprecated war, but one of them would *make* war rather than let the nation survive, and the other would *accept* war rather than let it perish, and the war came.

One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union even by war, while the Government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war the magnitude or the duration which it has already attained.

Neither anticipated that the *cause* of the conflict might cease with or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. "Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh." If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offenses come, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said "the judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Suggested Readings

The sanitary commission: Rhodes, Vol. V, pp. 244-259.

Conscription, North and South: Rhodes, Vol. IV, pp. 322-325; also Vol. V, pp. 431-437; also Schouler, Vol. VI, pp. 294-296, 414-421.

Taxation during the war: Dewey, pp. 298-330.

Finances of the Confederacy: Rhodes, Vol. V, pp. 509-510; Davis, Vol. I, pp. 485-492.

Conditions at the North: E. D. Fite, "Social and Industrial Conditions in the North During the Civil War."

Conditions in the South: J. C. Schwab, "The South During the Civil War."

The war tariff: Taussig, pp. 155-170.

Lincoln reflected: Stanwood, Vol. I, pp. 298-312.

Trade-unions in the war period of 1861-65: Commons, Vol. II, pp. 13-42.

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BINDING UP THE NATION'S WOUNDS

DURING the last days of the war President Lincoln was giving his best thought to the subject of reconstructing the shattered Union. The task that lay before him was quite as formidable as the one that confronted him in 1861. Then a Union was to be preserved; now a Union was to be reconstructed. How was the great work to be accomplished? How were the unfinished problems connected with slavery to be solved? How were the seceding States to be treated?

LINCOLN'S POLICY OF RECONSTRUCTION

"We Must
Extinguish
Our Resent-
ments"

In dealing with these questions everything depended upon the attitude of the conqueror toward the fallen foe. Should a policy of clemency or a policy of severity be adopted? Lincoln was for clemency. The words of his second inaugural address foreshadowed a policy of tenderness and compassion. At his last cabinet meeting the President gave plain notice to his counselors that he intended to avoid the shedding of blood and that there would be no vindictiveness of punishment. "I hope," he said, "there will be no persecution, no bloody work after the war is over. No one need expect me to take any part in hanging or killing these men [the Confederate leaders], even the worst of them. Enough lives have been sacrificed. *We must extinguish our resentments if we expect harmony and union.* There is too much desire on the part of some of our very good friends to be masters, to interfere and dictate to those States, to treat people not as fellow citizens; there is too little respect for their rights. I do not sympathize in these feelings."

Restoring
a "Proper
Practical
Relation"

But Lincoln indulged in no illusions. He knew that the problems of reconstruction were fraught with tremendous difficulties and that these would have to be dealt with in a firm and practical way. In meeting the various situations that would present themselves he wanted a free hand and he expressed a wish that the

executive might not be embarrassed by cast-iron laws of Congress. "Great peculiarities," he said in April, 1865, "pertain to each State, and such important and sudden changes occur in the same State, and withal so new and unprecedented is the whole case, that no exclusive and inflexible plan can be safely prescribed as to details and collaterals. Such an exclusive and inflexible plan would surely become a new entanglement." Nor did he wish to be hampered by any theory respecting the legal and constitutional status of the seceding States. His own private view was that the States had never been out of the Union, but he did not care to press this view. When he was criticized for having no fixed notion on the question whether the seceded States were in the Union or out of it he said: "I have expressly forbore any public expression upon that question. Whatever it may hereafter become, that question is bad as the basis of a controversy, and good for nothing at all—a merely pernicious abstraction. We all agree that the seceded States, so called, are out of their proper practical relation with the Union, and that the sole object of the Government, civil and military, in regard to those States, is again to get them into that proper practical relation. I believe that it is not only possible, but, in fact easier, to do this without deciding, or even considering, whether those States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. Let us all join in doing the acts necessary to restore the proper practical relations between those States and the Union, and each forever after innocently indulge his own opinion, whether in doing the acts he brought the States from without into the Union, or only gave them proper assistance, they never having been out of it."

While Lincoln was ready to waive the question of secession entirely, he nevertheless felt that the seceded States ought to know what his policy toward them would be. On April 4, 1865, the day after Richmond fell, he visited the Confederate capital in person and while there he made it known that he would insist upon three indispensable conditions for peace: (1) The national authority must be restored throughout the Southern States; (2) the emancipation of the slaves must be accepted as an accomplished fact; (3) all forces hostile to the National Government must be disarmed. Here in a nutshell was Lincoln's policy of reconstruction: all the

South had to do was to obey the Federal laws, accept the abolition of slavery, and lay down its arms.

But Lincoln did not live to carry out his broad and liberal policy. On April 14, 1865, the great man, while sitting in his box in a theater in Washington, was shot in the head by John Wilkes Booth, an actor, who had become mentally unbalanced because the South had failed to win. Lincoln fell forward unconscious when he was shot and never regained consciousness. He sank rapidly, and on the morning of April 15 he died.

His death brought sorrow to the North because it felt that his patience and firmness and devotion had saved the Union. The South grieved because it felt that it had lost a good friend. The whole nation mourned for it knew that no other man "could so wisely and powerfully, or would so earnestly, have applied himself to the compassionate task of binding together the broken ligaments of national brotherhood."

Sprung from the West.

He drank the valorous youth of a new world.
The strength of virgin forests braced his mind,
The hush of spacious prairies stilled his soul.
His words were oaks in acorns; and his thoughts
Were roots that firmly gript the granite truth.

Up from log cabin to the Capitol,
One fire was on his spirit, one resolve—
To send the keen ax to the root of wrong,
Clearing a free way for the feet of God,
The eyes of conscience testing every stroke,
To make his deed the measure of a man.
He built the rail pile as he built the State,
Pouring his splendid strength through every blow:
The grip that swung the ax in Illinois
Was on the pen that set a people free.

—EDWIN MARKHAM.

JOHNSON'S EFFORTS AT RECONSTRUCTION

Three hours after Lincoln's death the Vice-President, Andrew Johnson, received the Presidential oath of office from Chief Justice Chase. "You are President," said the chief justice after Johnson had taken the oath. "May God support, guide, and bless you in your arduous duties."

The new President was truly a most extraordinary man. In the possession of downright native vigor and in the making of the best use of his inborn powers he has had no equal in American

history. He was born in Raleigh, North Carolina, in 1808, and was therefore about the same age as Lincoln. Like Lincoln, his childhood was spent in poverty. As soon as he was old enough he began to help to earn a living for his widowed mother and himself. He never went to school a day in his life. When, at the age of ten, he began to learn the trade of a tailor, he did not know a single letter of the alphabet. At eighteen, with his mother, he went to Greenville in Tennessee, where he found work at his trade and where he settled down and married. His wife was an educated woman, and she became her husband's teacher. She taught him how to write and gave him instruction in arithmetic and grammar. While he plied his needle his wife read to him. He joined a debating society and learned the art of speaking in public. He entered politics while yet a boy, and at the age of twenty he was elected mayor of his town. In 1839 he was elected to the legislature of Tennessee; two years later he went to the State senate; in 1843 he was elected to the national House of Representatives; in 1855 he was made governor of his State; in 1857 he was chosen to represent Tennessee in the United States Senate; in 1862 he was appointed by President Lincoln military governor of Tennessee; in 1864 he was elected Vice-President. And now in April, 1865, he found himself at the top of the political ladder, at the pinnacle of American greatness.

How would this remarkable man use his power? What would be his attitude toward the South? At first it seemed that Johnson would adopt a policy of severity and would thus play into the hands of a group of Northern leaders who believed that the South had committed a great wrong and that punitive justice should be meted out to her. When Johnson, therefore, began his administration with threats of dire punishment for all "traitors" and with a show of vindictiveness toward Jefferson Davis and other prominent Confederate leaders the Northern men who were breathing "fire and hemp" were greatly pleased. "Johnson, we have faith in you," said one of the Northern radicals who cherished a desire for vengeance.

But the radicals quickly found themselves disappointed in their man. To their consternation Johnson soon dropped his punitive policy and virtually adopted Lincoln's plan of reconstruction. He reëstablished Federal authority within the limits of the several Southern States; he caused the post-office service to be renewed

and the Federal taxes to be collected; he opened the Federal courts for the administration of justice; he rescinded the blockade and threw open the ports of the South to the trade of the world. On May 29, 1865, he issued a proclamation granting amnesty and pardon to all who had been in arms against the Union and restoring all rights of property except as to slaves, "providing that those desiring pardon would take oath that they would thenceforth support and defend the Constitution of the United States and abide by all laws and proclamations with reference to the emancipation of slaves." There were, however, certain classes excluded from the benefits of the amnesty. It did not apply to the civil or diplomatic officers of the Confederacy; to military officers above the rank of colonel; to those who had abandoned seats in Congress in order to aid the South in its war; or to persons who owned property worth more than \$25,000. But even persons belonging to the excepted classes might obtain pardon upon special application to the President, who took pains to hold out the hope that clemency would be freely extended to all who might specially apply. Speaking broadly, Johnson placed pardon within easy reach of every man who had joined the Confederacy.

The proffer of amnesty and pardon met with as warm a response as could have been expected from brave men who had suffered defeat. Large numbers took the oath to support the Federal Constitution and thus severed their allegiance to the Confederacy. Many applications for pardon came from prominent men in the excluded classes. Among those making special application was General Robert E. Lee. Writing to a friend about this matter Lee said: "I have since the cessation of hostilities advised all with whom I have conversed on the subject, who come within the terms of the President's proclamation, to take the oath of allegiance and accept in good faith the amnesty offered. But I have gone further and have recommended to those who were excluded from these benefits to make application under the proviso of the proclamation. The war being at an end, the Southern States have laid down their arms and the question at issue between them and the Northern States having been decided, I believe it to be the duty of every one to unite in the restoration of the country and the reestablishment of peace and harmony. These considerations governed me in the counsels I gave to others and induced me on the 13th of June to make application to be included in the terms of the amnesty

proclamation." The attitude of Lee was the attitude of Southern leaders almost everywhere. "Every observation," said General Grant, who made a tour of the South in 1866, "leads me to the conclusion that the citizens of the Southern States are anxious to return to self-government within the Union as soon as possible."

Emancipation was a feature of Johnson's reconstruction policy as it was of Lincoln's. The obstacles to abolition were not very great, for the war had done its work and slavery was doomed by the logic of events. The power of the planter had been broken, and the economic structure of the South had collapsed. There was needed, therefore, only a legal declaration of emancipation to make the freedom of the negro a fact. At the time Johnson entered upon his duties the machinery of government was already moving swiftly toward constitutional emancipation. Even before the war had ended Congress, in accordance with the wishes of Lincoln, had in March, 1865, submitted to the States, for ratification, the Thirteenth Amendment, providing for the complete abolition of slavery throughout the entire extent of the United States. The amendment was promptly ratified by three fourths of the States, and in December, 1865, it became valid as a part of the Constitution. By this time slavery was virtually dead, for it had been abolished by State action in all the States but three. Still, it was the Thirteenth Amendment that gave the moribund institution its death blow and made freedom henceforth the portion of every person whose feet should rest upon American soil.

The immediate effect of the abolition measures was to transform about three million negroes from a condition of bondage to a condition of freedom. Many of the freedmen of course appreciated the new boon of liberty, but vast numbers of them at first hardly knew what the word liberty meant. At the close of the war William Lloyd Garrison visited Charleston, South Carolina, where he met a crowd of negroes just set free. "Well, my friends," he said to them, "you are free at last; let us give three cheers for freedom!" And he undertook to lead the cheering. But he cheered alone. The poor creatures gave no response: they merely gazed at him in wonderment. They knew nothing about cheering; they knew nothing about freedom. Nor did the Government exert itself to prepare them for a life of freedom. "Government," said Frederick Douglass, a distinguished negro leader, "left the freedman in a bad condition. It had made him free and henceforth he

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The
Thirteenth
Amendment

The
Freedmen
Left in a
Bad Con-
dition

must make his own way in the world. Yet he had none of the conditions of self-preservation or self-protection. He was free from the individual master, but the slave of society. He had neither money, property, or friends. He was free from the old plantation, but he had nothing but the dusty road under his feet. He was free from the old quarter that once gave him shelter, but a slave to the rains of summer and to the frosts of winter. He was turned loose, naked, hungry, and destitute to the open sky."

But emancipation was not the subject in which President Johnson was most deeply interested. The object of his deepest concern was the legal and constitutional status of the seceding States. To restore these States to their "proper practical relation" in the constitutional system was his highest ambition, and he made the fullest use of the executive power to bring them back into the Union. In dealing with the problem he followed substantially a plan which had been marked out by Lincoln. In each of the seceding States there was to be a provisional governor who was to take the necessary steps for the election and assembling of a State constitutional convention, the members of which were to be chosen by white voters. The convention was expected to do three things in order to render the State eligible for readmission into the Union: (1) it must repeal the ordinance of secession which took it out of the Union; (2) it must declare for the abolition of slavery; (3) it must repudiate the war debts contracted by the Confederate Government. Having met these requirements the convention could draw up a new constitution for the State and then adjourn, leaving to the legislature the task of making such laws as were necessary for the new social order.

The conditions laid down by the President were quite readily complied with in nearly every State, and when Congress met in December, 1865, Johnson could say in his message that the conventions had been called, governors elected, legislatures assembled, and senators and representatives chosen to the Congress of the United States, and that "sectional animosity was surely and rapidly merging itself into a spirit of nationality."

Johnson viewed the first-fruits of his policy with satisfaction and the country seemed to look on with approval. But there were breakers ahead, as Johnson and the country were to find out. Indeed, the situation was such as to make smooth sailing impossible. The nation was shot through with the passions and resentments

aroused by four years of internecine strife; sentiment both at the North and the South was turbulent and inclined to violence; the difficulties connected with the readjusting of Southern affairs reached to the very roots of society and involved the construction of a new social and economic fabric. With each succeeding month conditions grew more chaotic and presently statesmen lost their bearings and began to grope around in the dark. If they fumbled and brought things into confusion they only did what statesmen always do at the end of a great war. A period of reconstruction is always a period of muddling.

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THE CONGRESSIONAL PLAN OF RECONSTRUCTION

President Johnson was desirous to get the seceded States back into the Union before Congress should convene. Like Lincoln, he wanted to work with a free hand. When Congress met in December, 1865, he quickly learned that his hands were henceforth to be securely tied. Even before his message was read Congress was entertaining a resolution providing for the appointment of a joint committee to inquire into the condition of the former Confederate States and report "whether they or any of them are entitled to be represented in either House of Congress . . . ; and until such report shall have been made and finally acted upon by Congress, no member shall be received into either House from any of the said so-called Confederate States." The resolution was passed, with the result that the doors of both houses of Congress were closed against all the newly elected Southern senators and representatives, a considerable number of whom had come to Washington to claim their seats on the opening day of the session. Thus the first act of Congress was to call a halt to Johnson's program.

Congress
Calls a
Halt on
Johnson's
Policy

The joint committee upon which so much now depended consisted of fifteen members, nine from the House and six from the Senate. Two of the members of the committee, Thaddeus Stevens of Pennsylvania, a representative, and Charles Sumner, a senator, belonged to the radical group and were the dominating personalities of Congress. Stevens was now a grim-looking lame old man of seventy-four, but the fires of his strong nature still burned with a fierce heat. He was a violent partisan, and he went about his work in a bitter and vindictive manner. "With a club foot," says

Stevens and
Sumner

tion in the South, from the whites plus three fifths of the negroes, to the whites plus all the negroes. This meant of course that in the future the South would have many more votes in Congress than she had ever had before, and her political power would be greatly increased. In this increment of strength the Republican leaders saw disaster for their party. They feared that the ex-Confederates and Northern Democrats would form an alliance and soon succeed in gaining control of the Federal Government. And what would be the result? The South would dominate the country; the debt of the North would be repudiated and that of the South paid; the negro would be remanded to slavery. Everything, in brief, that the North had fought for would be lost. To escape this danger and save their party the Republicans urged the enfranchisement of the negro, the assumption being that virtually every freedman would vote the Republican ticket. "We need the votes of all the negroes," said Sumner, "and cannot afford to wait."

The two subjects of paramount interest, therefore, were the civil rights of the freedman and his political enfranchisement. The security of the freedman was a matter to which Congress had begun to give attention even before the war actually ended. In March, 1865, it established a Freedman's Bureau. The purpose of this bureau was to shield freedmen from the hardships of their new condition. It was to look after the material welfare of former slaves, protect them from injustice, and assume a general guardianship over them. The law which created the bureau provided that it was to continue in existence for only one year after the termination of the war. In January, 1866, Congress passed a bill which prolonged the bureau's life for an indefinite period and increased its power. One of the objects of the new bill was to use the Federal military forces to protect the freedmen against the discriminations of the "black codes." When the bill was presented to Johnson he vetoed it, and the veto was sustained. A few months later, however, a bill continuing the Freedmen's Bureau for a period of two years was passed over the veto of the President.

The veto of the Freedmen's Bureau Bill marked the beginning of a long and bitter struggle between the executive and Congress. It also marked a turning-point in Johnson's leadership. Hitherto his career had been one of almost unbroken success, but after the veto his influence began to wane. When he found that Congress

was against him he displayed much bad temper and rained torrents of abuse upon his opponents, impugning their motives and accusing them of attempting to destroy the fundamental principles of the American government. His conduct indeed was so unseemly as to impair his prestige and alienate many of his friends. Then, too, he lost ground because in the North the veto itself proved to be unpopular. He could not afford to lose the support of the Northern people, for without them he was of course a beaten man.

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The radicals in Congress were in full control, and they used their power in a rather high-handed fashion. In order to protect the freedman against the severities of the "black codes," they carried through in March, 1866, the famous Civil Rights Bill, the underlying purpose of which was to place the white man and the negro on an equal footing in the enjoyment of civil rights. "All persons," ran this law, "born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right in every State and Territory of the United States to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to the full and equal benefits of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary, notwithstanding." The President vetoed the bill on the ground that it was an unconstitutional invasion of the rights of the States, and it was promptly passed over his head in May, 1866.

The Civil
Rights Bill

Stevens in the House and Sumner in the Senate used whip and spur in carrying forward the "Congressional plan." A month after the passage of the Civil Rights Bill they caused Congress to propose to the States for ratification the Fourteenth Amendment. Their purpose was to embody the principles of the Civil Rights Law in a permanent form in the Constitution. They feared that the law might be repealed or be set aside as unconstitutional, but they knew that the amendment would last. The first section of the proposed amendment embodied in its essence the provision

The
Fourteenth
Amendment

of the Civil Rights Bill as quoted above. The second section provided that if in any State the right to vote should be withheld from any male adult citizens, the number of representatives in that State should be reduced in proportion. This meant that if any negroes in any seceding State were not allowed to vote the State would be penalized in the matter of representation to the extent that the negroes were disfranchised; the State was not to be compelled to give the negro the vote, but it was to be rewarded by a greater representation in Congress if it did so. The third section, aimed at those who had taken up arms against the Union, provided that any person who had previously held any office necessitating his taking an oath to support the Constitution of the United States and had engaged in rebellion, or given aid or comfort to the enemies of the nation, should be ineligible for office either State or Federal, although Congress might by a two thirds vote remove such disability. The last section affirmed the validity of the public debt incurred in conducting the war, and forbade the assumption by State or nation of any debt "incurred in aid of insurrection or rebellion," or any claim for loss or emancipation of any slave.

An outstanding feature of the Fourteenth Amendment was the guarantee that every person within the jurisdiction of the United States should enjoy the equal protection of the laws. Here in the mind of Sumner was a right "that was to belong to every person that drew breath upon American soil. He might be poor, weak, humble or black; he might be of Caucasian, Jewish, Indian or Ethiopian race; he might be of French, German, English or Irish extraction; but before the Constitution amended as proposed all their distinctions would disappear. He would not be poor, weak, humble or black; nor would he be French, German, English or Irish; he would be a *man*, the equal of all his fellow men."¹

In June, 1866, about the time the Fourteenth Amendment was sent to the State legislatures, the joint reconstruction committee presented its report to Congress. The essence of the report was the declaration that the seceding States were disorganized communities *outside* the Union, and that they should be denied representation "until sufficient guarantees were provided which would tend to secure the civil rights of all citizens, temporary restoration of suffrage to those not guilty of participating in the rebellion,

¹ Adapted from a speech by Sumner on "Equality Before the Law."

and the disqualification from office of at least a portion of those whose crimes have proved them to be enemies of the Union and unworthy of public confidence." The "guarantees" proposed by the committee were substantially the provisions of the Fourteenth Amendment which had just been proposed by Congress and which was before the country for ratification or rejection.¹

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The Congressional election that was approaching when this report was made gave the voters of the country an opportunity to decide between Johnson's mild plan of reconstruction and the harsh plan foreshadowed by the joint committee. In the campaign both sides made unusual efforts to gain votes. As the canvass proceeded it became plainer and plainer that the Congressional party would win. The President's cause was weakened by a number of outrages that were committed against the freedmen in the South. Of special advantage to the Northern radicals was a riot which occurred late in July in New Orleans and resulted in the killing of forty or fifty negroes and the wounding of about one hundred and fifty more. The President himself contributed vastly to his own undoing. He made an electioneering trip—"swinging around the circle," he called it,—and on the tour his indiscretions of speech were so many and so gross that he invited much of the ridicule and scorn which his enemies heaped upon him. At one place his remarks were so offensive to the audience that he was silenced and driven from the platform. When election day came there was little doubt of the outcome. The Republicans swept the North and obtained a two thirds majority in both houses of Congress. Thus the election showed beyond doubt that the radicals and not the President had the support of the nation.

The Con-
gressional
Elections
of 1866

When Congress assembled in December, 1866, the Republicans, encouraged by the recent election, took up the fight against Johnson with renewed zeal. They set about to hamper him and thwart his purposes in every way they could. In the House they would gladly have impeached him at once, but they could not muster the necessary votes. They attempted to clip his wings by passing on March 2, 1867, the Tenure of Office Act which prohibited him from removing civil officers of the Government save with the consent of the Senate, and imposed a punishment of fine and imprisonment if the act should be violated. Johnson vetoed the measure, but his veto was overridden.

Congress
Wages War
Upon
Johnson

¹ The Fourteenth Amendment was adopted in 1868.

On the same day that Congress passed the Tenure of Office Act the great Reconstruction Act was spread upon the books. This was the most important law of the reconstruction period. In accordance with the spirit of the report of the reconstruction committee the act brushed aside the existing State governments and established military governments in their stead. The process by which the unreconstructed States were to be restored to the Union were marked out by the act as follows:

(1) The ten Southern States¹ were to be grouped in five military districts which were to be put under the command of generals of the Federal army.

(2) These military commanders were to register in each State all the adult male citizens, black as well as white—but excluding such persons as might be disfranchised by the Fourteenth Amendment—and were to hold an election for delegates to a State convention.

(3) These conventions were to frame constitutions, an indispensable condition of the constitution being that the franchise be extended to the blacks as well as to the whites.

(4) The constitutions thus framed were to be submitted to the voters, black as well as white, for adoption or rejection.

(5) If adopted by the respective States the constitutions were to be sent to Congress for its approval.

(6) If the constitutions should be approved each State was to be represented again in Congress as soon as its legislature ratified the Fourteenth Amendment.

(7) Until these conditions had all been complied with, the States should be governed by the military governors and should in all things be subject to the paramount authority of the United States.

Accordingly the policy of clemency advocated by Lincoln and Johnson was definitively rejected and severity became the order of the day. Stevens's theory of "conquered provinces" was enacted into cold law. The South was to be placed under the iron hand of military authority and kept there until the conditions laid down by her conquerors were complied with. Surely the path of reconstruction was to be a thorny one.

Johnson promptly vetoed the Reconstruction Act and it was as promptly passed over his head. There was now nothing for him

¹ Tennessee, having ratified the Fourteenth Amendment, was admitted to representation in Congress in July, 1866.

to do but to carry out the law, for in so far as he was an executive officer he was the servant of Congress. As distasteful as enforcement was, he went about the task in good faith. He assigned to the five military districts competent generals under whose direction orders were issued for the holding of elections according to the terms of the Reconstruction Act. In the early winter of 1867 elections were held in all the military districts, and by February, 1868, constitutional conventions were in session in all the States affected by the act. The work of framing and ratifying the constitutions was pushed forward with vigor all over the South, and by the end of June, 1868, seven States, Arkansas, North Carolina, South Carolina, Florida, Georgia, Alabama, and Louisiana, had done the things required by the act and had been restored to the Union. Virginia, Mississippi, and Texas failed to secure the proper ratification of their respective constitutions and were therefore compelled to remain outside the Union under the rule of their military governors.

THE IMPEACHMENT OF ANDREW JOHNSON

While this work of reconstruction was going on in the South the quarrel between Congress and the President was growing more and more acrimonious. The talk of impeachment which began in December, 1866, became more menacing as the months passed, but substantial charges could not be found. In the summer of 1867, however, Johnson gave his enemies the opportunity they so much desired. His secretary of war, Edwin M. Stanton, was openly at variance not only with the President but with nearly all the members of the cabinet as well. Accordingly Johnson in August, 1867, requested Stanton to resign. Now it happened that the Tenure of Office Act was largely designed for the express purpose of preventing the dismissal of this very man. The secretary, therefore, refused to resign and the President suspended him from office; but the Senate refused to sanction his removal. Stanton, taking refuge under the Tenure of Office Act, reappeared at the War Department to resume his official duties, and the keys were yielded up to him. The President, regarding the act as a palpable and unconstitutional invasion of his rights, resolved to ignore it and force the issue. Stanton, accordingly, on February 21, 1868, was again told that he must go. But still the secretary held on, for a time barricading

Edwin M.
Stanton

himself in his quarters and remaining there day and night for meals and lodging.

The long struggle between Congress and the President had now reached a crisis, and there was a final grapple. The Senate by a decisive vote denied the President's power to dismiss the secretary of war save with its consent, and the House by a vote of 126 to forty-seven adopted on February 24 a resolution: "That Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanors." Eleven charges were drawn up against the President, the three leading accusations being: (1) that the dismissal of Secretary Stanton was contrary to the Tenure of Office Act; (2) that the President had attempted to bring Congress into contempt by his speeches; (3) that he had opposed the execution of several of the acts of Congress.

The trial in the Senate began March 5 with Chief Justice Chase presiding. The impeachment proceedings created much excitement throughout the country. Sentiment in the North was strongly against the President and there was a clamor for his conviction. In Washington interest was at a feverish heat. During the trial the Senate chamber was crowded with spectators. The defense of the President was conducted by lawyers of distinguished ability, William M. Evarts being one of his counselors. The prosecution was managed by seven representatives of whom Thaddeus Stevens and Benjamin F. Butler were the most aggressive spirits. There was a great display of eloquence at the trial, and the arguments were able and learned. The managers for the prosecution resorted to every trick of pleading, and twisted language into all sorts of shapes, yet they could not disguise the fact that Congress had a weak case. The testimony and the arguments failed to convince the unprejudiced mind that Johnson had committed any crime. On the contrary, as the trial proceeded it became plainer every day that the real purpose of the impeachment was simply to rid Congress of an objectionable President. "As a revelation to the world of lawlessness and infamy in Andrew Johnson," says Professor Dunning, "the trial soon became farcical. The evidence fell ridiculously short of justifying the wild charges made by his adversaries. It showed that the President, while greatly embarrassed by the hostile legislation of Congress and by the conduct of Stanton, had administered his office with the nicest regard for law and precedent."

On May 16 the Senate was ready to take a vote on the articles of impeachment made by the House. The last article, adroitly drawn up by Stevens in the form of a general accusation, was voted upon first. As the roll was called each Senator replied "Guilty" or "Not guilty." When the voting was finished the Chief Justice rose and announced the result: "On this article, there are thirty-five senators who have voted guilty and nineteen senators who have voted not guilty. The President, therefore, is acquitted on this article." As a two thirds vote was required for conviction Johnson escaped by the narrow margin of one vote. Ten days later votes were taken on the second and third articles, but the result was the same—thirty-five to nineteen. The prosecution now lost hope, the Senate as a court of impeachment adjourned sine die, and the case came to an end. Thus impeachment was defeated and Congress was baffled.

The radicals were wild with rage. They had made frantic efforts to get rid of the President only to be foiled in their purpose. Yet it is the verdict of history that it was better for the country that they were beaten. Lyman Trumbull, one of the senators who voted for acquittal, said: "It is not a party question I am to decide. I must be governed by what my reason and judgment tell me is the truth and the justice and the law of this case. Johnson has violated no law; it has not been shown that he violated the Constitution. I cannot vote to convict and depose the chief magistrate of a great nation when his guilt was not made palpable by the record. Once set the example of impeaching a President for what, when the excitement of the hour shall have subsided, will be regarded as insufficient causes, and no future President will be safe who happens to differ with a majority of the House and two thirds of the Senate on any measure deemed by them important. Blinded by partisan zeal, with such an example before them, they will not scruple to remove out of the way any obstacle to the accomplishment of their purposes; and what then becomes of the checks and balances of the Constitution so carefully devised and so vital to its perpetuity? They are all gone. In view of the consequences likely to flow from this day's proceedings, should they result in conviction on what my judgment tells me are insufficient charges and proofs, I tremble for the future of my country. I cannot be an instrument to produce such a result."

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Acquittal

"It Was
Better for
the Coun-
try"

During Johnson's administration the all-absorbing theme of reconstruction pushed into the background almost completely subjects relating to foreign affairs. Nevertheless our statesmen at this time were called upon to deal with several international questions of considerable importance. For one thing the Fenian movement required skilful diplomatic action. The Fenian Brotherhood was the Sinn Fein of the sixties: its purpose was to overthrow the British power in Ireland. For assistance in the work of liberation it relied chiefly upon the Irish in America, and it was therefore especially active in the United States. In 1865 Fenians from many parts of the country gathered in Philadelphia and organized an "Irish Republic," with a "Congress" and the usual executive officers. The next year armed bands of Irish-Americans attempted to invade Canada from Vermont and New York. Since we were at peace with Great Britain it was the duty of our Government, of course, to check the Fenians in any hostile movement against Canada. Accordingly President Johnson promptly authorized the employment of the land and naval forces to suppress the filibustering attempts of the Irish sympathizers. With this show of the strong hand on the part of the Government, the Fenian movement in America quickly collapsed. The action of the President was resented by the Irish and praised by the English. "It was the United States," said the commander of the Fenian troops, "and not England that impeded our onward march to freedom." "The United States Government," said the English minister at Washington, "acted when the moment for acting came with a vigor, a promptness, and a sincerity which call forth the warmest acknowledgment."

Vastly more important than the Fenian question was the dangerous Mexican problem which President Johnson inherited from his predecessor. It will be recalled that in 1861 the French power was established in Mexico.¹ This intervention of France was a plain contravention of the Monroe Doctrine, but inasmuch as our Government had a civil war on its hands it could only protest and bide its time. At the close of the Civil War the Mexican question was taken up in earnest. By 1865 the French power had been established in the best parts of Mexico, but the authority

¹ See p. 453.



of Maximilian, whom Napoleon III had placed upon the Mexican throne, had never been recognized by our Government. President Johnson and William H. Seward, the secretary of state, determined not only that recognition must be withheld but that the French must get out of Mexico. We could have easily expelled them by force, for powerful armies were at our command, but Seward had no desire to resort to force. There was indeed a significant concentration of troops under General Sheridan upon the Mexican border but the expulsion was accomplished by skilful diplomacy. In a tactful, roundabout fashion information was conveyed to the Emperor Napoleon that the United States would not tolerate either the presence of a French force or the existence of any foreign monarchy in Mexico. Napoleon in 1867, yielding to the inevitable, withdrew the French troops. The well-meaning but ill-advised Maximilian fell into the hands of the newly established Mexican Government, was tried by court martial, and shot by a firing-squad. "The fair-haired prince of Hapsburg had undertaken a task that would have baffled politicians and generals more competent than he; but he was brave to the end and won the pity of the civilized world."

Just at the time that Seward was disposing of the Mexican episode, he was officially informed that Russia was willing to sell her American possessions to the United States. This was gratifying news, for he was always eager to extend the national domain and had long had his eyes fixed upon these Russian possessions. In 1860, in a speech delivered at St. Paul, he had said to the Russian people: "Go on and build up your outposts all along the coast, up even to the Arctic Ocean; they will yet become the outposts of my own country—monuments of the civilization of the United States in the Northwest."¹ Accordingly the opportunity to buy Russian America was seized upon by Seward with "almost comical alacrity." The treaty for the purchase was agreed to by the President and the entire cabinet, and was ratified by the Senate in April, 1867, with only two dissenting votes. The purchase price was \$7,200,000. The name given to the new acquisition was Alaska.

Alaska

Despite the promptness and unanimity with which the treaty was executed it nevertheless met with considerable opposition from

¹ See E. P. Oberholtzer, "A History of the United States Since the Civil War"; Vol. I, p. 539.

the outside. Alaska was said to be a "worthless expanse of rock and ice not worth the money"; it was a sucked orange, for its fur-bearing animals had been hunted until they were all gone; it was a Polar Bear Garden for Johnson; it was a frozen wilderness that nobody wanted unless it should be to take a solitude, erect it into a Territory, and call it Seward. Nobody knew—it was impossible for anybody to know—that we had made a wonderful bargain, and that the furs, fisheries, gold-fields, and coal lands of the newly acquired territory were worth the purchase price a thousand times over.

RECONSTRUCTION POLITICS

Grant
Nominated
by the
Republicans

At the time these diplomatic successes were being achieved politicians were making plans for the coming Presidential election. The Republicans in 1868 were the first in the field. In May they held their convention in Chicago and nominated General Grant by a unanimous vote. Other candidates were considered but the popularity of the "hero of Appomattox" was so great in the North that his nomination was assured long before the convention met. So far as Grant ever had any political affiliations they had been Democratic, his only Presidential vote having been cast for Buchanan. But when the Republican leaders found that he would accept the Republican nomination they gladly claimed him as their own.

In their platform the Republicans approved the reconstruction policy which had been followed by Congress. On the all-important subject of negro suffrage they were extremely cautious, because four Republican States in the North had just rejected constitutional amendments enfranchising the blacks. The platform, therefore, in evasive phrase, declared: "The guarantee of Congress of equal suffrage to all loyal men at the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal States properly belongs to the people of the States." As far as this had any meaning at all, it meant that in the South negro suffrage was to be imposed on the States by force while in the North it was to be a question which each State might decide for itself. On the subject of the public debt the platform denounced all forms of repudiation, demanding that the debt of the

nation be paid according to the spirit as well as the letter of the law.

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The Democratic party held its convention on July 4 in New York. In the matter of candidates the Democrats this year were as ready to ignore the test of party allegiance and listen to the voice of expediency as were their opponents. They probably would have named Grant if they could have got him. They could have had as their candidate Chief Justice Chase, who had always been a Republican but who—as Lincoln said—was “insane on the subject of the Presidency” and was ready to take the Democratic nomination. Another available candidate was George H. Pendleton, an Ohio man popularly known as “Gentleman George.” Pendleton was a champion of the “Ohio idea”; that is, he advocated the payment of a certain large class of government bonds in greenbacks, a policy that was popular in the West. Andrew Johnson also was a candidate for the Democratic nomination. At first Pendleton led in the balloting, but on the fifth day, when the twenty-second ballot was being taken, some of the Pendleton votes were shifted to the chairman of the convention, Governor Horatio Seymour of New York. A stampede to Seymour now began, and he was chosen by the unanimous vote of the convention.

Seymour
Nominated
by the
Democrats

In their platform the Democrats praised the administration of President Johnson and denounced the policies of his enemies. The Reconstruction Act was declared to be unconstitutional, revolutionary, and void, and for passing it Congress was charged with having “subjected ten States in time of profound peace to military despotism and negro supremacy.” Amnesty was demanded for ex-Confederates and the regulation of the suffrage was declared to be an affair of the individual States. The financial plank accorded with the “Ohio idea”: bonds not expressly made payable in coin should be redeemed in greenbacks, thus “providing the same currency for the Government, the laborer, and the bondholder.”

Public interest in the campaign centered upon the issues of reconstruction. The Ku-Klux Klan—of which more presently—was in operation, and its lawlessness proved to be harmful to the Democratic cause. Republican orators gave lurid accounts of outrages that were being committed in the South, and insisted that only a Republican administration could deal properly with the disorder that prevailed.

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A Close
Election

The result of the election was a victory for the Republicans. Grant received 214 electoral votes and Seymour eighty. On its face this was a disastrous defeat for the Democrats. An analysis of the vote, however, showed that the victory for Grant was not so overwhelming as the electoral vote indicated. His popular majority was only a little more than 300,000. Seymour carried New York, New Jersey, and Oregon, and ran his opponent a close race in Pennsylvania, Ohio, Indiana, and Michigan. Had the suffrage been confined to the white citizens in the former slaveholding States and had these States all participated in the election—three of them, Mississippi, Virginia, and Texas, did not—the Democrats in all probability would have won the election. A close study of the returns, therefore, showed that the Republicans were holding power by a rather slender thread.

The
Fifteenth
Amendment

The Republican politicians, fearing that the thread might break, bestirred themselves to strengthen their hold. In the political situation at the South they saw their opportunity. Their party in 1868 was successful in several Southern States in which it would have been unsuccessful had it not been for the negro vote. Since this vote could be secured as a permanent element of strength to their party by amending the Constitution they now brought forward the Fifteenth Amendment which decreed that the right to vote should not be denied on "account of race, color, or previous condition of servitude." The amendment was submitted by Congress to the States for ratification in February, 1869; and on March 30, 1870, when it had been ratified by three fourths of the State legislatures, it was proclaimed as a part of the Constitution. Thus the conception of radicals like Sumner became a reality, and at the same time the negro vote was made safe for the Republican party.

PRESIDENT GRANT AND RECONSTRUCTION

A Warrior
Rather
Than a
Statesman

A few weeks after the Fifteenth Amendment was agreed to by Congress, Grant, on March 4, 1869, entered upon his duties as President. For the discharge of these duties he had no special aptitude. The great warrior has seldom been a great statesman, and it turned out that Grant while President did little to exalt his fame. "Nature," says P. L. Haworth, "had created him for the camp rather than the council chamber, for the battlefield rather than the finesse of politics. His notions of statecraft were apt to

be vague, and through a strange paradox, though he displayed remarkable skill in selecting military men he proved a failure in choosing civil subordinates. Honest and trustful by nature, he could not detect dishonesty in others. Designing men who pretended to be his friends frequently brought him into disrepute, yet even when their rascality was exposed he too often displayed misguided fidelity and refused to desert them 'under fire.' "

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That the new President lacked the touch of the skilful administrator was seen in the selection of his cabinet advisers. In making his cabinet appointments he refused to consult with party leaders, and in some instances the appointees themselves were not consulted. The composition of his first cabinet seemed in a large measure to be determined by considerations of "personal friendship or unintelligent caprice." As secretary of state he chose Elihu B. Washburne, a close friend to whom he was greatly indebted for his military advancement but a man who had no fitness for the duties of the State Department. This appointment, however, was only a passing compliment. Washburne promptly resigned, and his place in the cabinet was filled by Hamilton Fish, a most competent person. For the Treasury, Grant named A. T. Stewart, one of the richest merchants in America. "Stewart," says Dunning, "had neither experience nor recorded convictions in politics, and his appointment was the naïve tribute of the man who had never been able to earn in private business more than fifty dollars a month to the man who had accumulated millions." Stewart, however, was hardly in office before he had to withdraw on account of an existing statute, which provided that no one appointed secretary of the treasury should "directly or indirectly be concerned or interested in carrying on the business of trade or commerce." The navy portfolio was given to Adolph E. Borie, whose chief distinction was that of being a rich man of Philadelphia and a personal friend of Grant's. "Only unbounded confidence in the President," says Rhodes, "enabled the country to swallow this appointment." For secretary of the interior the President named Jacob D. Cox of Ohio, and for attorney-general E. Rockwood Hoar of Massachusetts. Cox and Hoar were regarded as well fitted for their places. Taking it all in all, it was nearly the poorest body of advisers that a President had ever gathered around him.

Grant's
Cabinet

The immediate task which confronted the new administrator was to carry forward the unfinished work of reconstruction. The method of going about this work could be more rational under Grant than it had been under Johnson, for now instead of strife between Congress and the executive there could be harmony and coöperation. At the time of Grant's inauguration four States were still outside the Union. These were Virginia, Mississippi, Texas, and Georgia. The last named State, as we have seen,¹ had been restored to the Union in 1868; but it had incurred the displeasure of Congress and had been subsequently excluded. The process of restoring these, the last of the unreconstructed sisters, was not unduly delayed. One by one they agreed to the conditions laid down by Congress, and by 1871 all were back in the Union and all were enjoying a full measure of rights under the Constitution. The nation was in fact what the Supreme Court in 1869 declared it had always been, "an indestructible Union, composed of indestructible States."

"Carpet-
baggers"
and "Scal-
wags"

The work of reconstruction, however, was not yet finished. Affairs in the South were still in such an unsettled state that Congress felt constrained from time to time to interpose with the Federal authority. One cause of the disturbed conditions was the pernicious influence of "carpet-baggers" and "scalawags." The carpet-baggers, for the most part, were unscrupulous adventurers who came down from the North with the view of improving their fortunes. They received their name from the coarse carpet satchels which they carried when traveling. The carpet-bagger was not always a white man, for many mulattoes and negroes also came down from the North attracted by the opportunity of becoming the leaders of their more ignorant brethren. As a rule the white carpet-bagger was a questionable character who could not have been elected to a petty office in the Northern community which he left. In the South, however, by playing upon the prejudices of the negroes and taking advantage of their ignorance, he could hope to secure their votes and rise to the highest offices. The scalawags were native Southern men who after the war was over joined the Republican party and in politics worked hand and glove with the negroes. The contempt in which the scalawag was held by the better class of Southern whites is indicated by the following explanation of the origin of the word: "A fellow was

¹ See p. 521.

kicked by a sheep so that he died. He said that he didn't mind being killed, but he hated the idea of being kicked to death by the meanest wether in the whole flock, the scaly sheep." A scalawag, therefore, was a scaly sheep; he was a meaner man than a carpet-bagger.

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The carpet-baggers, scalawags, and negroes, by combining their forces, were able in some of the seceding States to secure the control of government. Wherever they got a foothold, public affairs were conducted in a shocking manner. As the main purpose of the white leaders of the negroes was to make money, the corruption was shameful. Extravagance took the form of downright plunder. The rate of taxation was increased far beyond the ability of the public to pay. Debts were created for improvements which were never made. In Louisiana the State debt in three years mounted from \$4,000,000 to \$48,000,000. Millions of the public funds vanished in what we would now call "graft." In South Carolina when the legislature was in session choice wines, liquors, and cigars were sent at public expense to the boarding-houses of members, many of whom were ex-slaves. In the legislature of Alabama the negroes were often so ignorant that they could only watch their white leaders—carpet-baggers—and vote aye or no as they were told.

Corruption
and Ex-
travagance

The State which suffered most in these reconstruction days was South Carolina. Here was the spectacle of a society suddenly turned bottom-side up. Government was a nightmare. The majority of the legislature consisted of negroes, nearly all of whom had been slaves. It was the slave rioting in the halls of his master and putting the master under his feet. The orgy of extravagance, luxury, and corruption in which this "black parliament" sank itself was perhaps without a parallel in the annals of legislation. A bar and restaurant dispensed fine food and drink to members and their friends. Printing in one year cost \$450,000. Pickles, brandied cherries, and fancy toilet soap figured among the legislative expenses. The legislature appropriated \$1000 to reimburse the speaker of the house for a loss he had sustained by betting on a horse-race. The winner of the bet was the negro member who made the motion that the money be appropriated!

Society
Turned
Bottom-
side Up

Of course this condition of affairs could not last; the pyramid could not continue to stand on its apex. As early as 1866 the native white people of the South began to protect themselves against the

The Ku-
Klux-Klan

domination of the carpet-baggers and the negroes. They organized a secret society which was known as the Ku-Klux Klan. The Klan did everything it could to make the life of the carpet-bagger miserable, but its chief purpose was to prevent the negro from voting. The native white people of the South never for a moment accepted the principle of negro suffrage. All but one of the Southern States, it is true, formally ratified the Fifteenth Amendment, but deep underneath there was a determination not to allow the negro to vote if it should be possible to keep the ballot out of his hands. Supported by the ruling opinion of the white population, the Ku-Klux Klan made a deliberate effort to shut out the negro from the effectual use of his vote, even if it should be necessary sometimes to resort to violence. In order to terrify the negroes the members of the Klan wore white masks, tall cardboard hats, and gowns that covered the whole body. When they went on horseback the bodies of their horses were covered with white sheets and the feet of the horses were muffled. Appareled in this ghostly manner the Klan would visit the houses of the negroes at night and threaten them with bodily harm if they should venture to go to the polls. Carpet-baggers and scalawags were also visited and warned of the danger that awaited them if they did not leave the State.

In carrying out its purposes the Klan often went beyond the bounds of the law, committing deeds of violence and in some cases causing the death of innocent persons. Its offenses at last became so flagrant that Congress took matters in hand and enacted in 1870 and 1871 what are known as the Force Laws. These denounced fine and imprisonment against all hindrance and interference, either attempted or accomplished, in restraint of the exercise of the franchise by the negroes or the counting of their votes, and gave the Federal courts jurisdiction in cases arising under the acts. The enforcement of these laws resulted in the arrest of more than a thousand members of the Ku-Klux Klan and in the final suppression of the organization.

Although President Grant was ready to deal firmly with the Ku-Klux Klan, he nevertheless felt kindly toward the South. His motto was "Let us have peace." In his inaugural address he foreshadowed a policy of conciliation; and, as we have seen, before his administration was far advanced all the States were restored to the Union. Before the end of his first term the work of recon-

struction, as far as legislative action was concerned, was finished. In May, 1872, the Amnesty Act removed the political disabilities of nearly all persons who were excluded from office by the terms of the Fourteenth Amendment. This act, the last of the great reconstruction measures, was a most beneficial law, for it pardoned nearly 150,000 of the best citizens of the South and allowed them to participate in public affairs.

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Suggested Readings

- Problems of reconstruction: Dunning, pp. 3-17.
 Johnson's policy of reconstruction: Rhodes, Vol. V, pp. 522-535.
 Congressional plan of reconstruction: Dunning, pp. 35-50.
 Congress takes control: Haworth, pp. 20-39.
 Fifteenth Amendment: Dunning, pp. 174-186.
 Fruits of reconstruction: Haworth, pp. 46-62.
 Impeachment of Andrew Johnson: Rhodes, Vol. VI.
 Reconstruction: Lingley, pp. 3-32.

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STARTING ANEW

AN account of the measures taken by statesmen to solve the political problems of reconstruction has just been given. But there were other matters than political ones to be dealt with at this period. In the South there was a deplorable economic situation. In the North there was an ugly aftermath of war that took the form of corruption in high places. In the West there were problems connected with the sudden and rapid development of a vast extent of uncultivated territory. Furthermore, the nation's finances were in a state of disorder and there was great discontent in the world of labor. The reconstruction years were troublous indeed but they were wonderful years, for they marked the period when the country was taking a new start on the high-road of progress.

THE PROSTRATE SOUTH AND THE PROSPEROUS NORTH

The South at the close of the Civil War was prostrate. Immense districts had suffered from the ravages of contending armies. The planters were poor and deeply in debt. Their fields were neglected and untilled. Their dwellings were dilapidated and their empty barns were falling down. The agencies of transportation were in the last stages of inefficiency. "The war," said Carl Schurz,¹ "has not only defeated the political aspirations of the Southern people, but it has broken up their whole social organization. When the rebellion was put down they found themselves economically ruined." An idea of the terrible wear and tear of the war may be gained from the following picture drawn by an observer in 1865: "Everything has been mended and generally in the rudest style. Window-glass has given way to thin boards, and these are in use in railway coaches and in the cities. Furni-

¹ Schurz in 1865 was sent by President Johnson to investigate conditions in the South.

ture is marred and broken, and none has been replaced for four years. Dishes are cemented in various styles, and half the pitchers have tin handles. A complete set of crockery is never seen, and in very few families is there enough to set a table. A set of forks with whole tines is a curiosity. Clocks and watches have nearly all stopped. Hair brushes and tooth brushes have all worn out; combs are broken; pins, needles, and thread are very scarce. Even in weaving on the looms, corn cobs have been substituted for spindles. Few have pocket knives. In fact, everything that has heretofore been an article of sale at the South is wanting now. At the tables of those who were once esteemed luxurious providers, you will find neither tea, coffee, sugar, nor spices of any kind. Even candles, in some cases, have been replaced by a cup of grease in which a piece of cloth is plunged for a wick. The problem which the South had to solve has been, not how to be comfortable during the war, but how to live at all."¹

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Added to these distressing conditions was a demoralized system of labor. The South had relied almost wholly upon negroes to till the fields, but the emancipated negro did not want to work in the field or anywhere else. For the slave thought that slavery meant toil, and after he was set free he supposed that freedom meant only idleness. Accordingly he was disposed to try out his freedom by refusing to work. Many of the freedmen, it is true, remained with their masters on the plantations and worked for wages, but vast numbers of them broke away only to roam about over the land in gangs, houseless and homeless, not knowing one day where food for the next day was to come from. Often it came by theft; and there was no conscience to hold back the thievery, for in the days of his bondage the slave thought it no sin to steal a pig or a chicken from a white man. In the early days of his freedom, therefore, the negro was of little use to himself or to his community. He was an economic liability rather than an asset.

Freedom
Meant
Idleness

It seemed then that the burdens of the South were more than she could bear. Yet, crushed and defeated as she was, she rallied and proved that she was as brave in peace as she had been in war. The negroes gradually acquired habits of frugality and industry; and white men, adjusting themselves to the new conditions, went about the repairing of their fortunes in such earnest fashion that

The South
Rallies

W. L. Fleming, "Documentary History of Reconstruction"; Vol. I, p. 11.

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The
Flourishing
North

An Out-
burst of
Optimism

in a few years they saw arising around them a new and a better South.

Far different from the conditions that confronted the people of the South were those which prevailed in the North. It can hardly be said that the North had to start anew, for there had been no halt in its progress. No serious problem of reconstruction confronted the Northern people. The soil of the Northern States had hardly been touched by invading armies, and the industries of the North were in as flourishing a condition at the close of the war as they were at its beginning. In truth the North in 1865 was as rich and was standing as firmly on its feet as it had been in 1861.

The outlook for the country taken as a whole was so bright that President Grant in his first message to Congress indulged in an outburst of optimism: "A territory unsurpassed in fertility, of an area equal to the abundant support of 500,000,000 people, and abounding in every variety of useful mineral in quantities sufficient to supply the world for generations; with exuberant crops; with a variety of climate adapted to the production of every species of earth's riches and suited to the habits, tastes, and requirements of every living thing; with a population of 40,000,000 free people, all speaking one language; with facilities for every mortal to acquire an education; with institutions closing to none the avenues to fame and any blessing of fortune that may be coveted; with freedom of the pulpit, the press, and the school; with a revenue flowing into the National Treasury beyond the requirements of the Government."

THE WEST IN THE SIXTIES

Gold
Seekers

When the new start was taken countless faces were turned to the great West beyond the Mississippi where lay a wild uncultivated region more than a million square miles in extent. During the Civil War the westward movement was checked, but it did not come to a complete standstill. Seekers after gold, persisting in their explorations, pushed out into the wild region extending westward from Minnesota to the Pacific. In the spring of 1863 a rich deposit of gold was found at the headwaters of the Missouri in what is now southwestern Montana and at once fortune-hunters began to rush to the scene. Those who went from the East made the greater part of the long journey on steamboats which ran from

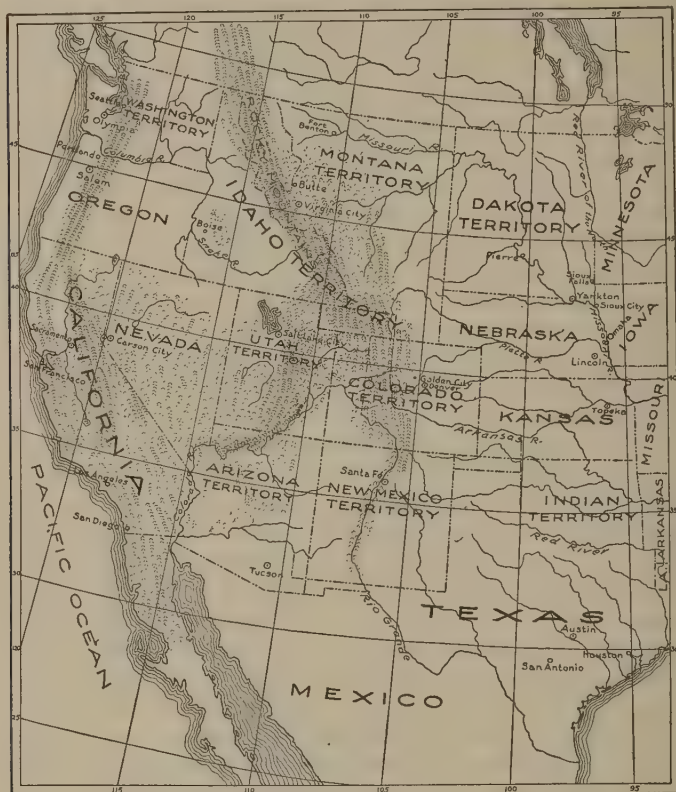
St. Louis to Fort Benton, the head of navigation on the upper Missouri. The movement of the steamboats was extremely slow because of shallows and obstructions, but the profits of their owners were enormous. The fare of a cabin passenger from St. Louis to Fort Benton was \$300, while the freight rate was over \$200 a ton. The salary of pilots was sometimes as much as \$1200 a month. Of course civilization moved up the stream with the steamboat. In the wilderness along the banks of the upper Missouri, where wild animals were as numerous and Indians as fierce as they were in the days of Lewis and Clark,¹ towns now began to be built; and before many years had passed Yankton, Pierre, and Sioux City were thriving little centers of trade. The town of the gold-field was the mining camp described by Professor Paxson: "A single street, meandering along a valley, with one-story huts flanking it in irregular rows was the typical mining camp. The saloon and the general store, sometimes combined, were its representative institutions. . . . The mining population centering here lived a life of contrasts. The desolation and loneliness of prospecting and working claims alternated with the excitement of coming to town. Few decent beings habitually lived in the towns. The resident population expected to live off miners, either in the way of trade, or worse. The bar, the gambling-house, the dance-hall have been made too common in description to need further account. In the reaction against loneliness, the extremes of drunkenness, debauchery, and murder were only too frequent in these places of amusement."²

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XXVIThe
Mining
Camp

In these rough mining camps were laid the foundations of great commonwealths that were presently to arise in the New Northwest. The organization of this wild country began in 1861 when the region lying north of the forty-third parallel and extending from the Red River of the North to the Rocky Mountains was erected into a Territory under the name of Dakota. In 1863, with the finding of gold in the Boisé Basin, Idaho Territory was cut off from Dakota, whose original area was more than three times as large as at present. The next year Montana was separated from Idaho and made a Territory within whose boundaries there was a grazing area as large as Illinois, a mining area as large as Ohio, and a farming area as large as Pennsylvania.

Dakota;
Idaho;
Montana¹ See p. 229.² F. L. Paxson, "The Last American Frontier"; p. 171.

The pioneers who went out to Idaho and Montana were guided by a lucky star. Seldom were settlers more richly rewarded. The gold taken out of Montana alone in the year 1865 was worth \$16,000,000. But gold was not the only thing that brought pros-



The West in the Sixties

perity. "The beautiful valleys," says Oberholtzer, "of the Gallatin, the Jefferson, and the Madison were soon occupied by industrious husbandmen. The lands were planted with wheat. Sheep and cattle fed over ground which a year or two earlier had been trod only by the foot of the savage. Better beef and mutton, travellers from the East said, they had never eaten. The streams

were filled with fish; wild game abounded. There was timber for building purposes and coal was at hand for fuel. In the summer of 1865 it was said that the Territory [Montana], though but three years had elapsed since the first white settlements were made within its borders, contained 50,000 inhabitants."

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South of the gold-fields of Montana and Idaho was Utah¹ with a population which was now approaching 100,000 and increasing at a steady pace. Salt Lake City, the most considerable place between the Missouri River and San Francisco, had a population of possibly 20,000. West of Utah was Nevada,² which in 1864 for political reasons had been made a State, although its population at the time of its admission was probably less than 30,000. The "child of the Comstock lode" was still dependent upon its mines of silver, which were yielding annually \$20,000,000. Beyond the Rockies were California with its population of more than 500,000, and Oregon with about 60,000. California was still the land of gold-miners, although in the southern part of the State oranges, lemons, apricots, and figs, were being cultivated with such success that an observer declared in 1868 that California's fruit crop would bring as much wealth as all her mines of precious metals.

Nevada

California

Although the treasures of the Far West were of incalculable value they could not be exploited until easy communication was established with the East. Transportation was not long in coming. The movement for a transcontinental railway, which was interrupted in the fifties by the impending breach between the North and the South,³ received a new impulse in 1862 when Congress passed an act incorporating the Union Pacific Railroad, which was to run westwardly from Omaha to the western boundary of Nevada. Another company—the Central Pacific—was incorporated by the State of California with authority to begin at Sacramento and build a line eastward until it should meet the western end of the Union Pacific. To encourage the building of the road Congress gave the companies (1) a right of way through the public domain; (2) the privilege of taking along the route such timber, stone, and earth as might be required for building the road-bed; (3) a loan from the Government varying from \$16,000 to \$48,000 a mile; (4) twenty sections of land—12,800 acres—alongside each

The Union
Pacific

¹ See p. 355.

² See p. 418.

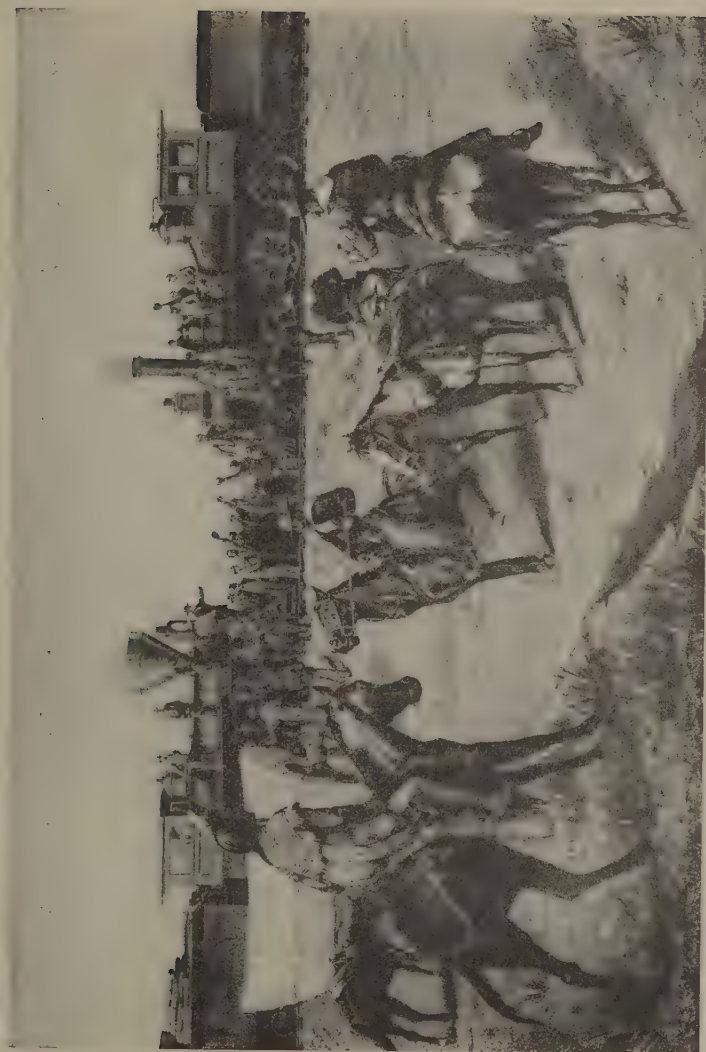
³ See p. 415.

mile of the road. The public land granted to the companies first and last amounted in all to 33,000,000 acres, an area considerably larger than the entire State of Pennsylvania.

The construction of this first transcontinental line was one of the greatest engineering feats of the age. About 25,000 men were employed by the two companies. The workmen on the Central Pacific were for the most part Chinese coolies who had been imported for the express purpose of building the road. On the Union Pacific the work was done by Civil War veterans and European immigrants, principally Irish. Natural obstacles made construction exceptionally difficult and expensive. The Central Pacific had to get its iron and machinery by sea, by way of Cape Horn or Panama, while materials for the Union Pacific had to be dragged hundreds of miles overland from places on the Missouri. The road had to mount to a height of more than 7000 feet in order to effect a crossing of the mountains. Both roads were built through a region that was entirely lacking in the conveniences and comforts of civilized life. Between Corinne, Utah, and Reno, Nevada, a stretch of 650 miles, only one white man was living. But there were red men enough along the route watching the white men with jealous eyes and giving him all the trouble they dared; for the building of the road was regarded by the Indians as an intrusion, and their hostility was so great that the work had to be carried on under military protection. A surveying party was always accompanied by a detachment of soldiers, and often engineers and workmen were called upon to exchange the theodolite, pick, and shovel for the ever ready rifle. But obstacle after obstacle was overcome, the laying of track was carried forward briskly—at times with feverish haste,—and sooner than had been expected the railroad was finished. On May 10, 1869, the two lines met at Ogden, Utah, where two men with silver hammers drove the last spikes, two of gold and two of silver, into the last tie.

The new highway electrified the entire central portion of the Western country. Its benefits were instantaneous and were felt along the whole length of the line. In Nebraska¹ a ribbon of settlements soon appeared along the road. In 1867 the Nebraskans easily secured admission to the Union. Now that they were connected with the markets of the world by railroad the development of their State could proceed at a rapid rate. Wyoming virtually

¹ See p. 417.



Oxford Print, Boston

EAST AND WEST UNITED

Driving the last spike, May 10, 1869, at Promontory Point, Utah, connecting the Union and Central Pacific Railroads

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owes its existence to the coming of the road. In 1867 the Union Pacific laid out the town of Cheyenne, and the next year the Territory of Wyoming was created by Congress. Colorado, also,¹ felt the benefits of the Union Pacific. In 1870 Denver was connected with the Union Pacific by a spur which ran to Julesburg, and six years later Colorado was admitted as the "Centennial State."

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The completion of the Union Pacific marked the beginning of a most remarkable era in railway construction. Within the four years 1869-72 more than 24,000 miles of new railroads were built, most of the new lines being in the West. In the summer of 1870 work was begun on the Northern Pacific Railway, whose charter was granted by Congress in 1864 with the view of opening up the New Northwest. To encourage the enterprise Congress granted to this road nearly 43,000,000 acres of the public lands, an area greater than that of all New England. The Northern Pacific was to connect Duluth on Lake Superior with Portland, Oregon. The beginning of the construction was made near Duluth. As in the case of the Union Pacific, the red men stood in the way of building the road. In fact they became so troublesome that it was thought necessary to send regular United States troops against them with the purpose of bringing them to terms. Before they were subdued, however, they dealt the troops a terrible blow. In 1876 large forces of Sioux Indians in southern Montana suddenly surrounded a division of 260 men under General George Custer, and killed every man including Custer himself. Notwithstanding this reverse, the Indians in the end were put down, and the white man, who had now become the undisputed master, was permitted to go on with his railroad and carry civilization further and further into the Western wilderness.

The
Northern
Pacific

Custer

Never before did settlers pour into the West faster than in the decade following the Civil War. This development was hastened by the mustering out of the Union troops at the close of the struggle. Between May, 1865, and June, 1866, nearly 1,000,000 soldiers laid down their arms and entered the pursuits of peaceful life. Vast numbers of these disbanded men, hardened to adventure and reluctant to turn back to a quiet life, went straight to the West to try their fortunes. They could go out with confidence and hope, for the Homestead Act, passed by Congress in 1862,

The Home-
stead Act

¹ See p. 417.

been carried far beyond the needs of the country, and in the financing of the lines there had been wild speculation. Thousands of investors found to their sorrow that their money was gone and that no dividends were in sight. By 1873, in truth, the prosperity of the country had come to be so spurious and unsubstantial that a breakdown was inevitable, although few were aware of the trouble that was imminent.

The crash came in September, 1873, when the great banking house of Jay Cooke & Co. failed to meet its obligations. This firm, one of the most conspicuous financial concerns in the country, was at the time promoting the construction of the Northern Pacific Railroad, and it was supposed by the public to be as "solid as the eternal hills." Its failure threw the country into a panic which spread to nearly every part of the land. Money became scarce and with its scarcity came a period of hard times which lasted from 1873 to 1878. "These five years," says Rhodes, "are a long dismal tale of declining markets, exhaustion of capital, and a lowering in value of all kinds of property, including real estate, constant bankruptcies, close economy in business, and grudging frugality in living, idle mills, furnaces and factories, former profit-earning iron mills reduced to the value of a scrap heap, laborers out of employment, reduction of wages, strikes and lockouts, suffering of the unemployed, depression and despair." The prime cause of the panic was excessive road building; into road-beds, rails, and equipment were put a large part of the circulating capital of the country and all the money that could be borrowed abroad.

While the prime cause of the hard times was a frenzy of railroad construction, another influence that doubtless hastened the panic of 1873 was an appalling destruction of property by great fires. On a Sunday morning in October, 1871, in Chicago, in a barn on De Koven Street, a woman was milking a cow by the light of a small lamp. The cow kicked the lamp over and broke it. The oil caught fire, and soon the barn was in flames. The fire, fanned by a strong wind, spread so rapidly that it soon got beyond control of the firemen. It raged all day Sunday and Sunday night and all day Monday. Before it was checked more than 17,000 buildings were burned, more than 200 people lost their lives, and property worth nearly \$200,000,000 was destroyed. The next year Boston was also visited by a fire which destroyed 800 of the

finest buildings of the city and caused a property loss of about \$80,000,000.

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NEW PROBLEMS

The panic of 1873 led to great disturbances among working-men, and while the authorities were dealing with the outbreaks the country found itself confronted by a new problem—the problem of maintaining industrial peace. A change was now coming over the spirit of working-men: they were asserting their rights in a fashion that was leading to industrial warfare. They were gaining strength through organization. Before the Civil War, labor organization was on a rather small scale and was usually local in character. Probably not more than four national trade-unions were in existence in 1860. But during the war there was great activity in the labor world, although the laborers were not profiteers and did not share in the enormous gains that accrued to business men. Workmen paid higher prices for the necessities of life, but their wages did not rise in a corresponding degree, nor did they rise with the increased product of the new machinery that was used. In order to protect themselves from hard bargaining with their employers and to reap some of the benefits of invention, they enlarged the memberships of their local unions and in many cases formed national unions. Between 1863 and 1866 ten national unions sprang up, and by 1870 there were more than thirty associations of this kind. The total membership of the trades-unions was now approaching 300,000. Accordingly, when employers during the period of the panic of 1873 began to lower wages, working-men, being fairly well organized, were in a position to resist the reduction.

A New
Labor
Problem

The resistance at times was accompanied by violence and lawlessness. In 1877 when wages were reduced on the Baltimore & Ohio, the Pennsylvania, and other railroads, there followed the greatest strike the country had yet seen. In Baltimore shots passed between strikers and soldiers and a number of lives were lost. Pittsburg for several days was in the hands of a mob which burned stations, train-sheds, roundhouses, and threatened to burn the entire city. The strikers failed in their contentions, but everybody could see that a new force was at work in the industrial world. "The strikers failed in every case, but the moral effect was enormous. For the first time a general strike movement swept

Strikes and
Violence

the country. Heretofore, the general eight-hour movement in New York City in the spring of 1872 had been the largest strike on record. But now the labor problem became a matter of nationwide and serious interest to the general public."¹ Henceforth the labor question was to be a persistent problem in American life, always crying for solution but never finding one.

There emerged at this time another problem that was to vex the country for many a day. This was the question of railroad control. Attention has already been called to the lavish gifts of public land, State and Federal, which were bestowed upon railroads before and during the Civil War.² Public aid in railroad construction continued to be extended on a most liberal scale after the war. "Perhaps it is below," says H. S. Haines, "rather than above, the actual proportion, if I should state that directly and indirectly by subscriptions, loans, guarantees, endorsements, and land grants, the cities, counties, States, and federal government had contributed one-half the actual cost of the railways, as originally constructed up to, say, the year 1870."³ In most cases these gifts were virtually unconditional. Companies were chartered as a rule by the State, but a proposed railroad seemed to be such a desirable enterprise and the community without a road was so glad to get one that the projectors of a line could dictate the terms of their incorporation. As a result, before the seventies the railroads had a free hand both in their transactions with the public and in the management of their own affairs. "The railroad corporations of the United States," said Charles Francis Adams in 1878, "have from the beginning enjoyed a sort of lawless independence."

This freedom from control was abused by the roads in outrageous ways. Free passes were issued in a most scandalous manner. They were given to lawmakers, executive officers, judges, county officials, political workers, and to all classes of persons "supposed to be able to aid a railway company in case of political or judicial emergency, or, if not so propitiated, to do harm." In the all-important matter of rate-fixing, fares and freight rates were made as high as it was possible to make them, the rule being

¹ "History of Labor in the United States," by John R. Commons and others; Vol. II, p. 190.

² See p. 414.

³ "Railway Corporations as Public Servants"; p. 38.

to "charge all the traffic would bear." Far worse than free passes and extortionate rates was the discrimination that was practised. By varying their rate schedules, making fish of this and fowl of that, the roads in countless cases determined who should become rich and who should remain poor, what enterprise should succeed and what fail, what communities and towns should flourish and what should not.

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In the late sixties and early seventies opposition to the evil practices of the roads began to develop, and there arose a popular demand for their control. In Massachusetts there was created in 1869 a State railroad commission, which was given powers of a supervisory nature. In Illinois the State constitution of 1870 declared the railroads to be public highways and the legislature passed laws to correct some of the abuses of the roads. But the strongest and most effective opposition came from the Patrons of Husbandry, farmers of the Middle West who, having first organized in 1866, had by 1876 enrolled a membership of nearly 1,500,000. One of the chief aims of the grangers—as the Patrons were usually called—was to secure from the railroads reasonable rates for their farm products. By throwing the force of their organization into politics they succeeded in inducing the legislatures of Illinois, Iowa, Minnesota, and Wisconsin to fix rates for transportation charges.

The
Grangers

The enforcement of the granger laws led to a bitter contest between the public on one side and the railroads on the other. The railroad owners denied that the legislature had the right to determine what a railroad should charge for its services. A railroad, they contended, was a private business concern that sold transportation, and a legislature could no more fix the price that a railroad might charge than it could fix the price at which a grocer might sell cheese. Transportation was an article of commerce owned by the company, "who as such owner may sell it or not, as it may seem fit, or, if it elects to sell, may demand such price as it chooses or can obtain." This argument was brushed aside by the grangers as nonsense. A railroad, they said, is affected with a public interest. Railway transportation is the very atmosphere of the industrial world. "As in the physical world no man or beast, no plant, or shrub, can refuse to breathe the air without death ensuing, so in the industrial world, no industry and no human being can refuse railway transportation except under similar penalties,

The
"Railroad
Affected
with a
Public
Interest"

Since transportation is the breath of industrial life it cannot be denied to the people; it must be supplied to them and must be furnished at rates determined by public authority."¹ But the railroads denied the right of public authority to regulate a rate at all and took their case to the courts. By 1876 the question of the constitutionality of the granger laws had been carried from the State courts to the Supreme Court of the United States. That tribunal in the famous case *Munn v. Illinois* decided that a State had power to regulate charges made by a common carrier. "Property," said the court, "does become clothed with a public interest when used in a manner to make it of public consequence and affect the community at large. When one devotes his property to a use in which the public has an interest, he in effect grants to the public an interest in that use, and must submit to be controlled by the public for the common good to the extent of the interest he has thus created."

While the grangers won their case, their victory did not amount to much, for within a few years the granger laws were either repealed or modified. Still, the legal consequences of the decision in *Munn v. Illinois* extended to the coming generation. After that decision it was no longer claimed that the railroads were mere private business enterprises. Once and for all the principle of public control was established. The problem involved in the principle, however, was as yet hardly touched.

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

1861 Emancipation of the serfs in Russia.

1862 Department of Agriculture. (An act was passed providing a Department of Agriculture, the duties of which were to diffuse "useful information on subjects connected with agriculture in the most general and comprehensive sense of that term and distribute among the people new and valuable seeds and plants." The first department was simply a bureau at the head of which was a commissioner, but in 1889 it was made a full executive department under a secretary, who was made a member of the President's cabinet.)

1864 Postal money-order system established.

1866 The *Milligan Case*. (Milligan was arrested in Indiana in 1864, tried by a military tribunal, and sentenced to death. The Supreme Court, having been appealed to, decided that the privilege of the writ of

¹ A. B. Stickney, "The Railway Problem"; p. 31.

- habeas corpus could not be suspended in districts where the action of the civil courts was not interrupted, and that Milligan was exempt from the laws of war and could only be tried by a jury.)
- Atlantic cable successfully laid. (The cable was landed in Newfoundland and reported peace between Prussia and Austria.)
- 1869 Wyoming grants complete suffrage to women.
- Legal Tender Cases. (In *Hepburn v. Griswold* the Supreme Court maintained the validity of the law making Treasury notes legal tender only in so far as it did not affect contracts made before its passage. A year later, when two new judges had been appointed, this decision was reversed.)
- 1870 Department of Justice created by Congress.
- Weather bureau established.
- 1873 Modoc Indians subdued.
- Slavery abolished in Porto Rico.
- Postal-cards first introduced, the postage being one cent.
- 1874 International Postal Union was formed among twenty-one nations, the United States being one of the number.
- Greenback party organized.
- 1875 Mrs. Eddy's "Science and Health" published.
- A bill giving to negroes full civil rights is passed.

Suggested Readings

- Manufacturing between 1860 and 1880: Bogart, pp. 408-421.
- Panic of 1873: Rhodes, Vol. VII, pp. 36-52.
- First railroad across the continent: Dunning, pp. 144-146.
- The South after the war: E. B. Andrews, "The South in Our Own Time"; pp. 111-130.
- Passing of the Wild West: Haworth, pp. 100-124.
- New issues: Lingley, pp. 103-122.
- Emergence of labor problems: Bogart, pp. 472-485.
- Scandinavians: Ross, pp. 67-94.
- National trade-unions: Commons, Vol. II, pp. 42-85.
- Expansion; speculation; crises 1865-73: Van Metre, pp. 390-414.

XXVII

WHEN GRANT WAS PRESIDENT

OUR last chapter had to do mainly with Western development and with economic problems that arose during the years in which the country was entering upon its new life after the Civil War. In this chapter the governmental activities and political happenings of those years will be the principal theme. In order that the narrative may have proper sequence we shall go back to the beginning of Grant's Presidency and take up the story of his administration where it was left off.¹

INTERNATIONAL MATTERS

A Proclamation of
Neutrality

When Grant entered upon his duties there was peace at home, and abroad there was nothing to forebode serious trouble. Still, during this administration several international questions of great importance came up, and the State Department was by no means idle. When France and Germany fell to fighting in 1870 the policy of the American Government in respect to the belligerents was announced in a proclamation of neutrality. Citizens were warned that the laws, without interfering with free expressions of opinion and sympathy, or with the open manufacture or sale of arms or munitions of war, imposed upon all persons within the jurisdiction of the United States the duty of maintaining an impartial neutrality during the existence of the contest.

The Cuban
Insurrection

Close to our shores was a situation which caused considerable irritation and friction. Our island neighbor at the South was in the throes of a rebellion which began in 1868 and lasted for ten years. The aim of the Cuban insurrection was to throw off the burdensome yoke of Spanish authority. In America there was a great deal of sympathy with the rebels. President Grant was strongly on their side and favored recognizing them as belligerents. His hand, however, was stayed by Secretary Fish who saw danger

¹ See p. 533.

in such a course. Won over to the policy of the secretary, the President announced in a message sent to Congress in June, 1870, that the administration would maintain a strict attitude of non-intervention.

CHAP.
XXVII

The rebellion dragged on in a desultory, ferocious, and indecisive way. It was so close to our doors that it was a constant menace to our peace. An incident of the struggle came near bringing Spain and the United States to blows. In 1873 the *Virginius*, an American-built steamer, flying the American flag, on her way to Cuba bearing arms and men to the insurgents, was sighted by a Spanish war steamer and after a brisk pursuit was captured and brought into the port of Santiago. Fifty-three of the crew and passengers were condemned to death by court martial and shot. Among those put to death were eight American citizens. The indignation of the country flamed high, and war seemed inevitable. "The many pending grievances of American citizens," says Rhodes, "sympathy with the insurgents, desire for the acquisition of Cuba partly from greed, partly in order to abate a nuisance so near our coast—all these influences combined to magnify the supposed insult to our flag at the hands of 'Spanish ferocity and barbarism.' " But the war cloud did not burst. Secretary Fish promptly demanded of Spain reparation for the bloody act, and the Spanish Government showed a disposition to comply with the demand. Indemnities were secured for the families of the Americans who had been shot, and it was agreed that the *Virginius* and her surviving passengers should be restored to the authorities of the United States. Popular wrath abated somewhat when it was learned that the ship had obtained her registry by fraud and was not entitled to fly the American flag.

The
Virginius
Affair

Early in his administration President Grant, who was something of an expansionist, became interested in a scheme for annexing Santo Domingo. He urged the policy of annexing it at a cabinet meeting, but met with no encouragement. "The blank astonishment and dismay depicted on the faces of his counselors convinced him that their concurrence was hopeless, and shifting the cigar he was smoking, he changed the subject." But he did not drop the subject. Without consulting the leaders he negotiated a treaty providing for the annexation of Santo Domingo. He then tried to rush it through the Senate, but there he encountered the powerful opposition of Sumner, the chairman of the committee

Santo
Domingo

on foreign relations. When the vote on the treaty was taken it was rejected, and the movement for advancing our power in the Caribbean was accordingly halted.

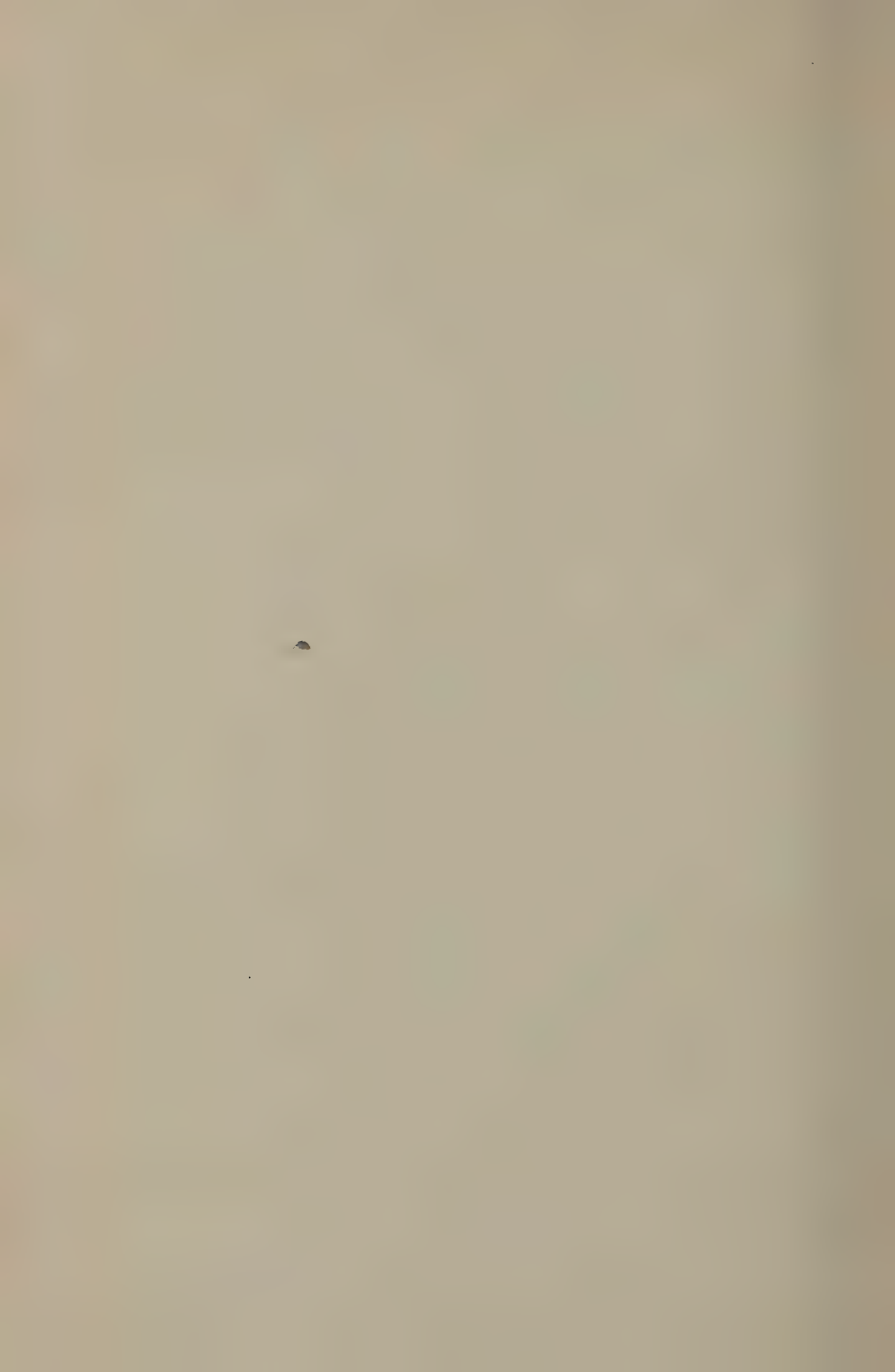
More successful was the administration in its conduct of our relations with England. From the time the *Alabama* evaded the British officials in 1862¹ our Government never ceased to press Great Britain for damages, basing its claims on the assertion that it was the duty of Great Britain to prevent the vessel from leaving an English harbor on a hostile cruise against the United States. In 1870, under the direction of Secretary Fish, the *Alabama* claims were pressed harder than ever. The moment seemed opportune for vigorous action, for Europe was now in a state of apprehension on account of the Franco-Prussian War. England, not knowing what turn affairs nearer home might take, responded to the insistence of our Government by indicating a readiness to express regret for the damage done by the *Alabama* and to submit to arbitration the question of liability for injuries.

Now that the diplomatic ice had been broken, negotiations proceeded rapidly. A joint high commission, consisting of representatives of the two countries, began its session in Washington in February, 1871, and by May the Treaty of Washington was signed and ratified. In the first article of the treaty it is stated: "Her Britannic Majesty has authorized the High Commission to express in a friendly spirit the regret felt by Her Majesty's Government for the escape, under whatever circumstances, of the *Alabama*, and other vessels, from British ports and for the depredations committed by those vessels." The treaty provided that the *Alabama* claims should be referred to a tribunal of arbitration composed of five arbitrators, one each to be appointed by the President of the United States, her Britannic Majesty, the king of Italy, the president of the Swiss Confederation, and the emperor of Brazil. The arbitrators, holding their sessions at Geneva, delivered the judgment in June, 1872, that Great Britain had failed in her duty as a neutral in connection with the *Alabama* and certain other Confederate cruisers, and made an award of \$15,500,000, to be paid to the United States as compensation for the losses incurred through these vessels. Thus a dispute fraught with no little peril was settled in an amicable way.

¹ See p. 454.



CARICATURE THE SCENE ON THE NEW YORK STOCK EXCHANGE ON BLACK FRIDAY



SETTING THE FINANCIAL HOUSE IN ORDER

CHAP.
XXVIIStrengthen-
ing the
Public
Credit

More perplexing than the diplomatic questions were the financial problems which confronted President Grant at the beginning of his administration. Our financial house was in a state of great disorder. There was a national debt of more than \$2,500,000,000, but no definite plans had been made for its payment. The holders of the bonds did not know in what kind of money they would be paid. There was in circulation nearly \$350,000,000 of paper money (greenbacks) in the form of United States notes.¹ In the value of these greenbacks there were violent fluctuations. Now a greenback dollar would be worth ninety cents in gold; presently it would be worth only eighty cents. Should the national debt be paid with the paper money or with gold?

We have seen that in the campaign of 1868 the sentiment in favor of paying certain classes of the bonds with greenbacks was strong.² But the greenback idea had no charms for President Grant. In his inaugural address on March 4, 1869, he said: "To protect the national honor every dollar of government indebtedness should be paid in gold, unless otherwise expressly stipulated in the contract." In accordance with the wishes of the President, Congress at once undertook to strengthen the public credit, declaring in March, 1869, that it was the purpose of the United States to pay its notes (the greenbacks) and its bonds in coin (that is, in gold or silver), and pledging the faith of the nation to such payment.

The pledge as to the bonds was kept, but the redemption of the greenbacks was delayed, with the result that the currency remained in a chaotic condition. Gold was virtually a commodity like wheat or corn, and its value rose and fell as the value of greenbacks fell and rose. In September, 1869, Jay Gould and James Fish, two daring speculators, set about to "corner" the gold supply, and actually secured control of nearly \$120,000,000. As the amount of gold outside the National Treasury was limited they were able to advance the price of the yellow metal to a point that meant disaster to those who needed it in the transaction of business. In New York the bidding for gold was attended by frantic excitement and led to a financial convulsion known as Black Fri-

Black
Friday¹ See p. 488.² See p. 527.

day. "Transactions of enormous magnitude were made amid the wildest confusion and the most unearthly screaming of men driven to the verge of insanity. But amid all the noise and confusion the penetrating voices of the leading bankers of the clique were heard advancing the price at each bid." When the price of gold had reached 162 the secretary of the treasury placed \$4,000,000 in gold on the market. At once the price dropped and the flurry was over. There were rumors that the administration had been in collusion with the speculators; and an investigation followed, in which it was brought out that a brother-in-law of Grant was a participant in the conspiracy but that the President himself was guiltless.

"The Crime
of 1873"

Among the currency laws passed while Grant was President was one which demonetized silver and established the gold dollar as the standard of value. The demonetization was accomplished in 1873 when Congress passed an act which had the effect of discontinuing the further coinage of standard silver dollars. The passage of the law inflicted no hardship upon the holders of the white metal; for as the bullion in a silver dollar at this time was worth about \$1.02 in gold it was more profitable to keep silver in bullion form than to coin it. In after years, when the silver question assumed an acute form, this law was bitterly assailed as the "crime of 1873" and efforts were made to discredit the motives of the men who carried it through Congress. But there seems to be no good reason for believing that there was anything underhanded in the passage of the law. It is true that there was almost no debate at all on the question of demonetization, but that is explained by the fact that people at this time thought and cared very little about silver.

The
Redemption
Act

It was not silver but the greenbacks that were giving trouble. These, as we have seen,¹ amounted at one time to about \$450,000,000. After the war was over the Government adopted the policy of retiring the greenbacks: as they found their way to the Treasury at Washington they were destroyed, just as promissory notes are usually destroyed when they are paid. The retirement of the greenbacks continued until 1868, when the volume outstanding had been reduced to \$356,000,000. The contraction of the currency was opposed by a large number of people who believed that the country needed more money, not less money. The opposi-

¹ See p. 487.

tion to retirement was strongest in the West, where the expanding conditions of business required larger and larger sums of money. Congress in 1868 yielded to the sentiment against contraction and ceased to retire the greenbacks. But inasmuch as they were to remain in circulation, it now became necessary to give them the same currency value as gold. Congress, therefore, in 1875 passed the Redemption Act, which provided that after January, 1879, the secretary of the treasury should redeem greenbacks in gold, dollar for dollar, whenever they should be presented to the Treasury for redemption. In 1878, responding to the wishes of the Western people, Congress provided that when a greenback was redeemed in specie "it should not be retired, cancelled or destroyed but should be reissued and paid out again and kept in circulation." In order to be ready for the day of redemption the secretary sold bonds for gold and kept this gold in the Treasury vaults as a special fund. The amount of gold thus set aside for redemption purposes was something more than \$100,000,000. It was not expected that all the greenbacks would be presented for redemption: when redemption day actually arrived virtually *no* greenbacks were presented. The mere knowledge that the notes could be exchanged for gold satisfied the holders and no exchange was demanded. Thus the greenbacks were given a place in the currency system on an equal footing with gold. They amounted in 1879 to about \$346,000,000 and that amount has never been materially decreased. They continue to circulate, and it seems that they have become a fixture in our monetary system. Their presence reminds us almost daily of a debt that has never been paid.

In addition to the currency problem there were matters of taxation to be dealt with. These proved to be by no means perplexing, for, strangely enough, taxes after the Civil War did not seem to the country at large to be very burdensome and the national revenues were ample. Customs alone in 1870 brought nearly \$200,000,000 into the Treasury, while internal revenue receipts amounted to more than \$185,000,000. Here was enough for the current expenses, for the annual interest charge, and for a wholesome reduction of the public debt. Several attempts were made during Grant's administration to lower the high tariff rates which had been imposed in war time, but very little was accomplished in that direction, for in Congress the manufacturers were able to block any serious effort at tariff reform. In 1870, it is true,

there was passed a half-hearted measure reducing duties on a few articles, but the reduction was made upon commodities in which American manufacturers had but little interest. The rates on pig-iron were slightly reduced, but this reduction was offset by an increase of duty on steel rails. The internal revenue taxes,¹ however, were reduced in substantial fashion. In 1870 the income tax was greatly reduced and provision was made that it should speedily expire altogether. One reason for abolishing it was its unpopularity: even people who were exempt from its provisions failed to give it their support.

CORRUPTION IN HIGH PLACES

Another reason for doing away with the income tax was that the laxity in its administration resulted in flagrant frauds and evasions. In the days when Grant was President the corruption and dishonesty in high places was revolting. How shocking was the administration of public affairs in the South we have already learned.² But wrong-doing in government circles was not confined to the carpet-baggers and the scalawags. In 1870 William M. Tweed and his nefarious associates were robbing the taxpayers of New York City as shamefully as the carpet-baggers were robbing the taxpayers of South Carolina. Tweed was the "boss" of Tammany Hall and the local leader of the Democratic party. He secured control of the city government and plundered the city treasury on a scale unparalleled in the history of public theft. The favorite method of stealing was by raising the accounts of those who worked for the city or furnished it with supplies. For example, if a man had a bill against the city for \$5000 he was asked to raise it to \$55,000. When he had done this he received \$5000, while the remaining \$50,000 was divided among the members of the Tweed Ring. In this manner a plasterer working on the courthouse received \$133,000 in two days! After the ring had continued its villainous practices for two or three years and had stolen a sum variously estimated at from \$45,000,000 to \$200,000,000, Tweed fell into the clutches of the law and was imprisoned, the man who did most to overthrow him being Samuel J. Tilden.

In government circles at Washington fraud and speculation were rampant. The reputation of Congress was smirched by the bring-

¹ See p. 487.

² See pp. 532-534.

ing to light of the transactions of the *Crédit Mobilier*, a construction company which built a large part of the Union Pacific Railroad. The stockholders of the *Crédit Mobilier*, who were also stockholders of the Union Pacific, were able to award contracts for construction work upon terms that would insure to themselves extraordinary profits. A leading member of the *Crédit Mobilier* was Oakes Ames, a representative in Congress from Massachusetts. In 1867 Ames, with the view of warding off any legislation that might be unfavorable to the Union Pacific, distributed among members of Congress several hundred shares of *Crédit Mobilier* stock, giving them to men whose votes he thought he could depend upon and conducting his operations secretly. "I don't fear any investigation here," he wrote in January, 1868; "I have used this [the stock of the *Crédit Mobilier*] where it will produce most good to us." But Ames failed to cover his tracks. In 1872 charges were made in the newspapers that prominent congressmen had been bribed by gifts of stock in a concern called the *Crédit Mobilier*. An investigation by Congress followed, with the result that facts of a most sensational nature were unearthed. Ames was found guilty of selling stock at less than face value in order to influence votes in Congress and was censured by the House of Representatives. James Brooks, a representative from New York, was found guilty of corruption and his expulsion from the house was recommended. James W. Patterson, a senator from New Hampshire, was found guilty of corruption and false swearing and a committee reported a resolution that he be expelled from the Senate. Schuyler Colfax, the Vice-President of the United States, was tainted with the affair. Other members of Congress were entangled, but were declared by the investigating committee to be guiltless of corrupt acts or motives. "But this judgment," says Professor Dunning, "saved their virtue at the sacrifice of their intelligence, for it was based on the view that they had taken the *Crédit Mobilier* stock without perceiving its relation to their official capacity."

The *Crédit Mobilier* scandal became a subject of discussion at about the time when the Presidential campaign of 1872 was in full swing. In that year the regular Republicans met at Philadelphia and renominated Grant by a unanimous vote. There were, however, irregular Republicans to be reckoned with; for within the Republican ranks there was a strong body of dissidents who found

themselves "alienated from the party by its extreme measures of coercion in the South in support of the Constitutional amendments, its constant military interference there, in despite of the principle of local self government, the arrogant temper of mastery with which it insisted upon its aggressive policy, and the apparent indifference with which it viewed the administrative demoralization which so soon became manifest under President Grant."¹ The leaders of this recalcitrant group, who were known as Liberal Republicans, met at Cincinnati and nominated Horace Greeley, the editor of "The New York Tribune," a man of power in the field of journalism, but otherwise an erratic person whose appearance and manner were the joy of the cartoonist. The Democrats met at Baltimore. In their convention the Southern element predominated. "One could see," said an observer present at the convention, "the old politicians who have been so long absent from national conventions, famous war-horses and eaters of fire, who used to take part in the conventions of the days before the deluge . . . and who have since been statesmen in the Confederacy, emigrants to Brazil, residents in Canada. These were old men curiously dressed in black clothes, wearing the look of planters who have been ruined and are still somewhat in a maze over the citizenship of the negro. Many of these were victims of the carpet-bagger apparently and moved one's pity." Although the convention consisted for the most part of staid, staunch Democrats of the old school, it nevertheless for the sake of a dimly-hoped-for victory threw consistency to the winds and endorsed the candidacy of the "strident Republican" who had been named by the Liberal Republicans. Such a strange and daring exhibition of the political somersault had never been given by a political convention, and never before was there such a feast of "boiled crow." But in vain did the Democrats eat of the disagreeable dish: Grant was reëlected by an overwhelming majority.

Prohibition

Of deeper significance in this campaign than anything connected with the reëlection of Grant or the defeat of Greeley—as we now can see through the wisdom of hindsight—were the courage and enthusiasm which led the champions of prohibition to put a Presidential ticket in the field and thus nationalize the temperance movement. We have already seen that this movement had been

¹ Woodrow Wilson, "Division and Reunion"; p. 282.

gaining considerable headway in the forties.¹ In 1851 Maine had passed a law forbidding the sale of liquor, and within less than five years her example was followed by Vermont, Rhode Island, Connecticut, New York, New Hampshire, Michigan, and Iowa. Not all of these, however, followed the example of Maine and kept their prohibition law on the statute-books. By the time the Civil War began it is probable that in the United States a larger number of persons were refraining from the use of alcohol than in any other country of the world. During the war people thought about other things, but upon the return of peace Prohibition parties appeared in several States. In 1869 there was founded the National Prohibition Reform party. Three years later this party, meeting in convention at Columbus, Ohio, nominated James Black of Pennsylvania for President. In every subsequent Presidential contest the Prohibitionists had a candidate. They never developed much voting strength but, after the manner of the abolitionists, in season and out of season they kept their cause before the country.

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Since there was nothing in the result of the election of 1872 to rebuke the official corruption of the day, affairs at Washington after Grant's reelection continued to be managed loosely and without regard to the strict rules of honesty. The same Congress that was called upon to deal with the *Crédit Mobilier* revelations provoked the remonstrance of the people by passing the so-called Salary Grab Act. This law increased the salaries of the President, cabinet members, judges of the Supreme Court, and members of both houses of Congress. The President's salary was increased from \$25,000 to \$50,000 a year. The pay of senators and representatives was advanced from \$5000 to \$7500. The law was made retroactive and thus applied to the members of the Congress that passed it, so that each senator and representative was to receive an additional \$5000 for work done during the two years preceding the date on which the law was passed, March 3, 1873. The outcry against this "back pay steal," as it was called, was so insistent that some of the members who received the increased pay returned it to the Treasury. When the next Congress met in December, 1873, one of its first enactments repealed all the increases of compensation except those of the President and the justices of the

Salary
Grab Act

¹ See p. 320.

Supreme Court. The salaries of members of Congress were accordingly put back to \$5000; but the popular murmurs against the salary grab were slow in dying out.

It was not in Congress, however, but in administrative circles that wrong-doing reached its most reprehensible form. Nothing could be more disgraceful than the frauds committed upon the Government by the Whisky Ring. This was composed of distillers of St. Louis and of several officers of the Federal Government who worked together to defraud the Government of its lawful revenue upon liquor; and it is estimated that in six years they put into their pockets nearly \$3,000,000 that ought to have been paid into the Treasury of the United States. Even the name of President Grant himself was connected with these frauds, for he accepted as a present from a leader of the Whisky Ring a carriage and a pair of valuable horses, while his private secretary was a member of the gang and a sharer in its profits. Grant, however, declared that he knew nothing of the wrong-doing of his secretary, and of course he was innocent of any complicity with the ring. Grant's administration suffered by reason of the wrong-doing and bad faith of some of his political associates, but everybody knew that personally the President was as pure and honest as he was brave and patriotic.

Notwithstanding the President's personal innocence he was unable to protect his administration from the venality of those around him. In 1876 a committee of the House found that W. W. Belknap, the secretary of war, had committed malfeasance in office, and it recommended his impeachment. The charge against Belknap was that the post-trader at Fort Sill in Indian Territory had for some years been paying from \$6000 to \$12,000 a year to a friend of the secretary's for the privilege of retaining his position—a very lucrative one—and that a portion of the money had been regularly turned over to Belknap or some member of his family. There was a popular demand for the punishment of the secretary, but before the House took action against him he resigned and thus escaped conviction at the hands of the Senate. The House impeached him, it is true, despite his resignation, but in the Senate conviction was not obtained because some of the senators believed that because of his resignation he was no longer an officer of the Government and was therefore outside the reach of impeachment proceedings.

Nevertheless, nobody had any doubt as to Belknap's guilt. His disgrace was complete.

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The
Scathing
Words of
Senator
Hoar

A summary of the corruption of these evil days when the nation was at the "nadir of its disgrace" may be found in a passage of a speech delivered in the Senate by George F. Hoar in May, 1871. "My own public life," said Senator Hoar, "has been a very brief and insignificant one, extending little beyond the duration of a single term of senatorial office. But in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt from fraudulent lips, that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others beyond question was her corruption. . . . I have seen the chairman of the Committee of Military Affairs in the House rise in his place and demand the expulsion of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exaltation turned to bitterness and shame by the unanimous report of three committees of the House and one here that every step of that enterprise had been taken in fraud. I have heard in the highest places the shameless doctrine avowed by men grown old in public office that the true way by which power should be gained in the republic is to bribe the people with the offices created for their service and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President."

About the time the President was being so deeply humiliated by the rascality of his subordinates vast preparations were being made for the exposition which was to be held at Philadelphia for the purpose of celebrating the centennial of American independence. A prime object of this exposition was to reveal the marvelous resources of our country and to furnish other nations an opportunity to exhibit their products. Forty of the principal governments of the earth took part in the display. The exposition was officially opened by President Grant on May 16, 1876,

The
Centennial
Exposition

with one hundred thousand persons in attendance. Through the summer and the early autumn visitors from every part of the country filled the spacious grounds and buildings, admiring the bewildering display of the world's inventions and products and realizing as never before the progress America had made. First and last the exposition was visited by nearly ten million people.

THE ELECTION OF 1876

Republicans
Discouraged

The amenities and pleasures of the great exhibition at Philadelphia served to soften somewhat the bitterness of the current political campaign. The Presidential election of 1876 was a hard fought battle. The Republican party felt it was fighting for its life, and well it might, for the odds were against it. The depressing effects of the panic of 1873¹ had not yet passed away, and times were still hard. The party, furthermore, was discouraged by the Congressional elections of 1874, when a "tidal wave" swept away a Republican majority of two thirds in the House of Representatives and replaced it with a Democratic majority about as large. But more damaging and disheartening than anything else was the disrepute into which the administration had fallen by reason of the many scandals with which its name was smirched.

Hard
Pressed for
an Issue

In addition to their other troubles the Republicans were hard pressed for an issue. They could not, of course, "point with pride" to their management of public affairs. They could not pose with any grace as champions of reform. Upon questions relating to currency they did not differ radically from their Democratic opponents. Hence when their convention met at Cincinnati in June they had to be content with a platform that did little but hark back to the achievements of their party in dealing with slavery and rebellion and denounce the Democrats as supporters of treason and as foes of the nation.

An Abun-
dance of
Candidates

Although the Republican outlook was dark there were nevertheless candidates in abundance. Before the convention met there was some talk of nominating Grant again, but the suggestion was so unpopular that the politicians were afraid to lend it their support. The House of Representatives by an overwhelming vote passed a resolution declaring that any attempt to depart from the precedent established by Washington and other Presidents would

¹See p. 544.

be unwise and unpatriotic: this had the effect of putting an end to the third term agitation. Among those whose names were placed before the convention were O. P. Morton of Indiana, Roscoe Conkling of New York, Rutherford B. Hayes of Ohio, John F. Hartranft of Pennsylvania, and James G. Blaine of Maine. Blaine was nominated by the famous orator, Robert G. Ingersoll. In his speech Ingersoll used the "plumed knight" expression which clung to Blaine until the end of his career: "Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress and threw his shining lance full and fair against the brazen forehead of every traitor to his country." Ingersoll's outburst of oratory had a tremendous effect upon the convention and would doubtless have carried the day had not the "plumed knight" been handicapped by certain eloquence of his own. In 1866 Blaine had had occasion to cross swords with Conkling in the House of Representatives, and in the tilting the man from Maine administered to the man from New York a tongue-lashing that became historic not only because of its incomparable severity but because of its influence upon the course of American politics. Referring to Conkling Blaine had said: "As to the gentleman's cruel sarcasm, I hope he will not be too severe. The contempt of that large-minded gentleman is so wilting; his haughty disdain, his grandiloquent swell, his majestic, supereminent, overpowering, turkey-gobbler strut has been so crushing to myself and all the members of this House that I know it was an act of the greatest temerity for me to venture into a controversy with him. But, sir, I know who is responsible for all this. I know that within the last few weeks, as members of this House will recollect, an extra strut has characterized the gentleman's bearing. It is not his fault. It is the fault of another. That gifted and satirical writer, Theodore Tilton of the New York 'Independent,' spent some weeks recently in this city. His letters published in that paper embraced, with many serious statements, a little jocose satire, a part of which was the statement that the mantle of the late Winter Davis had fallen upon the member from New York. The gentleman took it seriously and it has given his strut additional pomposity. The resemblance is great. It is striking. Hyperion to a satyr, Thersites to Hercules, mind to marble, dunghill to diamond, a singed cat to a Bengal tiger, a whining puppy to a roaring lion. Shade of the mighty Davis, forgive the almost profanation

of that jocose satire!" In 1876 this sarcasm was still rankling in Conkling's bosom and it continued to rankle there as long as he lived. And as long as he lived Roscoe Conkling was a power in the Republican party. In the Cincinnati convention he was an antagonist of the "plumed knight," with the result that on the seventh ballot the nomination went to Hayes.

The delegates to the Democratic convention assembled at St. Louis with a well-defined program which was carried through in harmonious fashion. On the second ballot they nominated Samuel J. Tilden,¹ an able corporation lawyer, who for many years had been pursuing politics as a diversion but always with the view of giving the public the benefit of his great talents. The platform adopted by the convention resounded with réform as the key-note: reform was needed to save the country from a corrupt centralism which had honeycombed the offices of the Federal Government with incapacity, waste, and fraud; it was needed to establish a sound currency and maintain the national honor; it was needed in the "sum and modes" of Federal taxation; it was needed in the civil service. And reform could only be obtained through a peaceful civic revolution: "We demand a change of system, a change of administration, a change of parties, that we may have a change of measures and of men."

In this campaign the Republicans for the first time in their history were on the defensive. Their candidate was a colorless, commonplace man incapable of making a strong appeal to the popular imagination. The Democrats on the other hand had in Tilden the very leader who seemed to be needed for purifying the atmosphere at Washington. But while the Republicans were estopped from raising the banner of reform they could wave the "bloody shirt"; they could denounce the Democratic party as the ally of treason, the instigator of the Civil War, the foe of the nation. Where the "bloody shirt" argument failed they had recourse to "the general cussedness of all Democrats, their moral degradation, liking for liquor, antipathy to 'good men,' and fondness for brawling, fighting and general deviltry."

Denunciation failed to turn back the tide that was running against the Republicans. The popular vote, in round numbers, was 4,300,000 for Tilden and 4,000,000 for Hayes. The early returns showed that Tilden beyond doubt had received 184 of the 369

¹ See p. 556.

electoral votes. South Carolina, Florida, Louisiana, and Oregon were in doubt, but inasmuch as the first three of these States were normally Democratic almost everybody went to bed on election night believing that the Democrats had returned to power. But the early returns lacked absolute certainty. If Hayes could secure *all* the electoral votes of *all* the doubtful States he would have 185 votes and would be elected: if Tilden could secure only *one* electoral vote in any of the doubtful States he would win. The Republican leaders, taking advantage of the doubt that existed, boldly assumed that the victory was theirs and promptly sent out from their political headquarters the assertion stated in positive terms that Hayes had received 185 electoral votes and was elected. Then began the most extraordinary election dispute that ever took place in our history.¹

The scene of the contest at first was in the South, where politicians of both parties endeavored by fair means or foul to secure the electoral votes of Florida, South Carolina, and Louisiana. In South Carolina, where there had been violence and intimidation at the polls, the board of State canvassers certified the choice of the Hayes electors, while the Democratic candidates for electors met and cast their ballots for Tilden. In Florida, where there had been much fraudulent voting on both sides, the Democratic electors also, having been fortified by a court decision, went through the form of voting for Tilden, although the official canvassing board certified the election of Hayes. In Louisiana there was the utmost confusion—two governors, two sets of election returns showing different results, and two electoral colleges.

As soon as the electoral votes were cast the scene of the dispute shifted to Washington, where the vote must be officially counted and the result of the election declared. Who was to make this count? On this question the Constitution gives no answer. It merely says: "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted." If the count had been left to the Republican president of the Senate the votes of all the doubtful States would almost certainly have been given to Hayes on partisan grounds, and the merits of the controversy would have received no consideration whatever. If the two branches of Con-

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Two Sets of
Election
Returns

Who Was
to Count
the Vote?

¹ For full details of this contest see "The Disputed Presidential Election of 1876," by P. L. Haworth.

gress had undertaken to act separately there would have been an interminable deadlock, for the Senate was Republican and the House Democratic. If the dispute had been left to a joint session of both branches the election of Tilden would have been insured in advance, for the "tidal wave of '74" had given the Democrats such a large majority in the House that they could easily have had their way in a joint session.

The problem before Congress was extremely vexatious, but it was one that could not be safely dallied with or indefinitely postponed. "Prompt action," says Professor Dunning, "must be had to escape anarchy at the expiration of Grant's term on March 4, 1877. For, quite in keeping with the other features of this perplexing time, the same irreconcilable difference of opinion that prevailed as to how the election should be completed, prevailed as to what should be done if it should not be completed. Should the president of the Senate assume the executive power? Or should President Grant remain in control until his successor should be found? Either course, and others that were suggested, would inevitably provoke resistance and civil war."

To settle the dispute Congress availed itself of an agency that was in part at least outside itself: it passed a bill providing for the appointment of an electoral commission to consist of five senators, five representatives, four justices of the Supreme Court named in the bill, and a fifth justice to be chosen by the four justices. Two of the designated justices were known to be Democrats and two Republicans. The House was to appoint three Democrats and two Republicans, and the Senate three Republicans and two Democrats. After the organization of the commission was completed its membership consisted of eight Republicans and seven Democrats. The law creating the commission provided that if while the vote was being counted in Congress the question should arise as to which return, of two or more from the same State, was the valid one, the matter should be referred to the commission, whose decision should be conclusive unless disapproved by both Houses acting separately. This meant virtually that all vital questions connected with the count were to be settled by the commission.

The counting of the electoral vote began in February in the manner prescribed by the Constitution, the president of the Senate opening the certified lists of electoral votes, and taking up

the States in alphabetical order. When Florida was reached, the returns became a matter of dispute and were referred to the electoral commission for its decision. After receiving the evidence and listening to the arguments of counsel, the commission voted by eight to seven that the electoral votes of Florida belonged to Hayes. Likewise in the cases of Louisiana, Oregon, and South Carolina the commission decided by a vote of eight to seven that the electoral votes should all be counted for the Republican candidate. In each case the House voted to reject the finding of the commission, but the Senate in each case voted to sustain it. Thus by the award of the commission Hayes received all the electoral votes of all the doubtful States; and in the early morning hours of March 2 the president of the Senate announced to the two houses the election of Rutherford B. Hayes by a majority of one vote.

It was fortunate indeed that the count was made in a regularly legalized way, for the public mind was inflamed and the peace of the nation was threatened. "The seriousness of this crisis of three long months," says Rhodes, "can hardly be overestimated; and that the issue failed to satisfy the rigorous demands of justice is a consideration whose great weight becomes little when opposed to the true significance of the actual achievement. When no settlement seemed possible a settlement was nevertheless effected; and effected peaceably and according to due process of law under conditions which in nearly every other country must have inevitably led to civil war. A careful legislative act adopted by Congress instituted a great lawsuit that was tried under the forms of law in the United States Court-room by fifteen jurists. The decision, though deemed a gross injustice by more than half of the country, was submitted to without a suggestion of forcible resistance worth considering. The Democratic party in Congress and out of it and especially the Southern wing . . . won for themselves the respect and admiration of the country and of the world."

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The Peace
of the
Nation
Threatened

Suggested Readings

- General Grant: Stanwood, Vol. I, pp. 313-332.
 Overthrow of the Tweed Ring: Rhodes, Vol. VI, pp. 392-411.
 The Greeley campaign: Stanwood, Vol. I, pp. 333-335.
 Election of 1876: Haworth, pp. 81-93; Stanwood, Vol. I, pp. 356-393.
 In President Grant's time: Lingley, pp. 32-54.
 The Ku-Klux Klan: Dunning, pp. 121-123, 186-188.

XXVIII

PROSPERITY AND PROGRESS

BY March, 1877, when Hayes entered upon the Presidency, the evils which followed in the wake of the Civil War were rapidly vanishing. The country was approaching an era of industrial and commercial development more striking than any that had gone before. In this chapter the story of this wonderful growth will be carried through the years in which Hayes, Garfield, and Arthur were at the head of our Government, and an account of the administrations of those Presidents will be given.

HAYES; GARFIELD; ARTHUR

A President
Under a
Cloud

Hayes came to the Presidency under a cloud. There was a nationwide suspicion that his title to the office was not clear. And the grounds of the suspicion were not baseless. In the struggle for the electoral votes of the doubtful States there was trickery and over-reaching. Nearly all the votes were for sale, and Hayes got them all. Besides having to contend with the handicap of popular distrust, the new President was thwarted in his plans by a hostile majority in one or both houses of Congress during his entire term of office. Worse than all, within six months after his inauguration he lost the support of the leaders of his own party, and he never regained their support. Perhaps no administration was ever ushered in under more adverse conditions.

A Man
of Solid
Merit

Hayes was a man of solid merit. It is true that at the time of his nomination he was not widely known outside his own State, yet he had back of him a useful and honorable career. He had been the valedictorian of his class at college and had attended the Harvard School of Law. In the Civil War he fought bravely on the Union side, entering the army as a major and rising to the rank of major-general. He was in many battles and was wounded several times. While in the saddle fighting with Grant against Lee he was nominated for Congress. A friend wrote to him saying that he

ought to leave the army and come to Ohio in order to take part in the political campaign. Hayes replied: "An officer fit for duty who, at such a time as this, would abandon his post to electioneer for a seat in Congress ought to be scalped." He served for two terms in Congress, and three times he was elected governor of Ohio.

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It turned out that this substantial, conscientious American was precisely the kind of person the country needed for its President. The nation needed above all things a cessation of bitterness between the North and the South, and at the outset Hayes undertook to establish peaceful and harmonious relations between the two sections. From most of the former Confederate States the Federal troops¹ had been removed, with the result that Republican rule, that is, the rule of the carpet-baggers and blacks, had been shaken off and the Democrats restored to power. Louisiana and South Carolina, however, were still in the position of "conquered provinces," with their carpet-bag governments upheld by United States troops. Hayes, determined that all military rule in the South should be brought to an end and that the Southern people should be left free to fight their political battles in their own way, ordered in April, 1877, the Federal troops in these two States withdrawn. The soldiers had hardly departed before the carpet-bag governments collapsed. The Democrats seized the reins of power, and Republican rule in the South was a thing of the past.

The End of
Military
Rule in the
South

By withdrawing the troops the President incurred the displeasure of the radical element of his party. He justified his action as both a constitutional duty and a much-needed measure for the promotion of national harmony. In turn he was justified by the march of events. Within a year after the removal of the troops he could declare that their withdrawal "had brought progress to every part of that section of the country once the theater of unhappy civil strife, a patriotic attachment to the Union, the resumption of Southern industries, and the disappearance of lawlessness." So marked were the effects of the President's policy of restoring home rule, so rapidly did the wounds caused by the war heal and the feelings of enmity between the North and the South pass away, that the removal of the troops must be regarded as the last and best event in the history of reconstruction.

The Course
of the
President
Justified

But notwithstanding the blessings which attended the President's policy of pacification it won for him few laurels, whether at the

The President's
Unpopu-
larity

¹ See p. 520.

North or at the South. His Republican associates charged him with having abandoned the cause of the negro and with having surrendered the principles of his party. The Democrats refused to applaud him for his liberal treatment of the South because they could not forget the election of 1876 nor rid their minds of the notion that he was a usurper. Viewed as a matter affecting his leadership, therefore, his conciliatory course did him more harm than good. This, however, could make little difference to a man who was disposed to do the right thing, let the consequences be what they might.

With a Democratic House throwing obstacles in his way, and with politicians of his own party unfriendly to him, Hayes could hardly hope for a brilliant administration. The only important law enacted by Congress during his Presidency was a measure to which he was opposed. This was the Bland-Allison Silver Bill, which was brought forward in 1878 with the purpose of undoing the work done by the demonetization of silver five years before.¹ It was the wish of the silver men led by Richard P. Bland, a representative from Missouri, to repeal the law of 1873 and restore the free and unlimited coinage of silver, so that the white metal might again have "its ancient legal equality with gold as a debt-paying money." Bland carried his bill through the House, but in the Senate Allison of Iowa secured an amendment restricting the amount to be coined. The bill as amended provided that the secretary of the treasury should buy not less than \$2,000,000 nor more than \$4,000,000 worth of silver bullion each month and coin it into silver dollars. When the bill went to the President it was vetoed, but the veto was not sustained.

The bill came out of the West, and the debate on it and the voting showed that in the Western country there was a sentiment for the free coinage of silver that could not be comfortably ignored. The interests of the creditor classes and of Eastern business men called for the gold standard, but the owners of silver-mines and the debtor farmer of the West were insistent in their demands for the restoration of bimetallism.

Toward the end of his term President Hayes could write in his diary: "I think I have the confidence of the country." To a large extent this was doubtless true. One of his successors, Woodrow Wilson, says of him: "He was upright, public spirited, in-

¹ See p. 554.

clined to serve the country unselfishly and in the interest of sound policy." Carl Schurz said of him: "Public station in this country has seldom, if ever, been graced by a man of finer character or higher and more conscientious conception of duty and more patriotic motives." But the leaders who controlled the machinery of the Republican party did not share in this confidence and esteem. In the minds of practical politicians Hayes was simply an "old granny," a "goody goody" unfit for the sinful world in which he lived.

Hayes favored a single six-year term for the President, believing that the limited term would prevent selfish scheming for another period of power. Hence in his speech of acceptance he announced his "inflexible purpose, if elected, not to be a candidate for election to a second term." This declaration, coupled with the opposition of the party managers, made him unavailable as a candidate in the contest of 1880. In that year Blaine again asked for the nomination; but again "the plumed knight" was opposed by the lordly Conkling,¹ who made a frenzied effort to secure the nomination for ex-President Grant. At the Republican convention which met on June 2 at Chicago, Conkling, in spectacular fashion, presented the great soldier's name in a speech which began: "And when asked what State he hails from, our sole reply shall be: 'He hails from Appomattox and its famous apple-tree.' " On the first ballot Grant received 304 votes and Blaine 284. The voting continued during two days, and on every ballot Conkling with his band of faithful "Stalwarts"—as his followers were called—stood firm for their hero. The Blaine delegates stood equally firm, but thirty-four ballots were taken without any prospect of success for the man from Maine. On the thirty-fifth ballot a number of the Blaine delegates transferred their votes to James A. Garfield of Ohio. On the next ballot Garfield received 399 votes and was nominated. As a solace to Conkling and the Grant men Chester A. Arthur of New York was given the nomination for Vice-President.

James A.
Garfield

The Democratic convention, which met at Cincinnati, was not a very enthusiastic assemblage. Many of the leaders of the party had hoped that Tilden would again be their "standard-bearer" and that the "fraud of 1876" would furnish them with an issue. But just before the convention met Tilden made it known that he did not desire the nomination. It was necessary therefore for the

Winfield S.
Hancock

¹ See p. 563.

delegates to select another man. Their choice fell upon a son of Pennsylvania, Winfield S. Hancock, a veteran of both the Mexican and Civil wars and a general who had distinguished himself for bravery in many engagements.

The campaign of 1880 was quiet and uneventful. There was little of the sectional bitterness that in previous campaigns had shown itself in ugly forms. Republican orators, it is true, attempted in some places to excite animosity against the South by waving the "bloody shirt," but they usually met with a cool reception. The Democrats harped on the "fraud of 1876" and attempted to connect Garfield with the *Crédit Mobilier* affair, but it seemed that the people had forgotten both the fraud and the scandal. The only issue discussed was the tariff; and on that both sides blew hot and cold. The Democrats promised a tariff for revenue with incidental protection, and the Republicans a tariff for protection with incidental revenue. The most important question the voters were called upon to decide related to the spoils of office: should the Republicans be permitted to hold on to the offices or should they be turned over to the Democrats? Old issues, indeed, were dead or dying, and the people were neither thinking nor caring much about politics. The listless contest resulted in a victory for Garfield and Arthur, although the thread by which the Republicans retained power was almost as slender as it had been in 1876. There were nearly nine million votes cast for Garfield and Hancock together, yet Garfield's majority was only 7018.

Although Garfield was known as a "dark horse" candidate at the time of his election, he was by no means a cipher in public affairs. He had been born in 1831 in a humble log cabin not far from Cleveland. While he was still an infant his father died and left the family in poverty. At the age of fifteen young Garfield drove mules on the tow-path of a canal. In the campaign one of the songs began:

He early learned to paddle well his own forlorn canoe;
Upon Ohio's grand canal he held the hellum true.

He taught school for a while, was graduated at what is now Hiram College, and became a professor in that institution. Like Hayes, he served in the Civil War on the Union side and rose to be a major-general. Like Hayes, too, he was elected to Congress while he was in the field fighting. After serving several terms in the

House of Representatives he was chosen United States senator, but before he took his seat in the Senate he was nominated for the Presidency.

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XXVIII

Garfield's administration began under the most favorable conditions and with every manifestation of popular good-will. But soon there was trouble. When choosing his cabinet he selected Blaine as his secretary of state. As was to be expected, this appointment excited the wrath of Conkling, who was now a member of the Senate. But the President, supported by the powerful Blaine, ventured to brave the New Yorker's fury. Without consulting Conkling or his colleague, Thomas C. Platt, he appointed W. H. Robertson for the coveted position of collector of the port of New York. The gauntlet was now thrown down and the battle was on. Disregarding considerations of party harmony, Conkling attacked the President at every point where his armor was weak, but in vain; the onslaught did not bring the rejection of Robertson's name. Smarting under failure and giving way to petulance Conkling resigned his seat in the Senate, his fellow-senator Thomas C. Platt—"Me Too" Platt—joining him in taking leave. In order to secure a vindication for the stand they had taken, the two senators now appealed to the New York legislature for reelection; but to their surprise and mortification the legislature elected two other men. Conkling never again held public office, but his influence in New York affairs was not gone, and we shall hear of him again.

Conkling's
Wrath

While in the midst of this bitter contest with the New York senators over the distribution of patronage, President Garfield was made the victim of an assassin's bullet. On July 2, 1881, in the Pennsylvania Railroad Station at Washington he was shot in the back by a man who was an unbalanced fanatic and at the same time a disappointed office-seeker. The wounded President was taken to Elberon, New Jersey, where he lay for several months fighting against death with splendid courage. He slowly succumbed and on September 19 he passed away.

The Presi-
dent Killed
by an
Office-
seeker

On the day after Garfield's death Vice-President Arthur was sworn in as President. Arthur, as we have seen, had been nominated for the purpose of placating the New York Stalwarts. His political associates were of the machine type and he was regarded by many as being himself a "pot-house" politician. There were fears, therefore, that the affairs of the nation under the new President would be conducted on a low plane and in the interest

President
Arthur

of a particular faction. But these fears were needless: President Arthur performed the duties of his high office in a conscientious manner and with ability and dignity. "From the very outset," says H. T. Peck, "he was the President of no faction, of no party, but of the entire people. Firm, wise, and vigilant, his administration was one of the very best in all our history. To his former political allies he showed no undue favor. To his former enemies he manifested no unfairness."

President Arthur in his first annual message called attention to the fact that an excessive revenue was pouring into the Treasury, the surplus being considerably more than \$100,000,000. As a remedy for this swollen condition of the national purse he suggested that the tariff be revised and the rates reduced in accordance with the recommendations of a tariff commission. A commission was appointed and an extended study of the matter made, and a report was submitted recommending a 20 per cent reduction in existing rates. Ostensibly the report was used as the foundation of a tariff bill which was drawn up by the Senate; but in reality in the framing of the bill the findings of the commission received but little attention. The controlling forces in the preparation of the measure were the lobbyists who filled the corridors of the Capitol guarding the interests of the manufacturers. For the manufacturer was still in the saddle. After a long game of legislative battledore and shuttlecock a bill was at last passed in 1883 reducing the internal revenue taxes materially, but lowering tariff duties so slightly that the reduction was scarcely perceptible. On the cheaper grades of woolen and cotton goods rates were reduced about 3 per cent, but on the finer goods the rates were raised. The general level of duties was left at about the point where it had been at the close of the Civil War. "The kaleidoscope," said "The Nation," "has been turned a hair's breadth, and the colors transposed a little, but the component parts are the same."

It was to the credit of President Arthur that he advocated a much-needed reform in the Federal civil service. The custom introduced by Jackson of rewarding political friends by giving them offices¹ had led to abuses which became greater as the number of appointees became larger. President Grant did not like the custom. "The present system," he said, "does not secure the best men, and often not even fit men for public places." Hayes made a

¹ See p. 268.

strong fight against the spoils system, but Congress failed to support him in his plans for reform. Senators and representatives did not take kindly to a movement that threatened to deprive them of the power of raising campaign funds by assessments on office-holders and of giving out offices to henchmen. But the cause of civil service reform was carried forward by George William Curtis and other public-spirited leaders with an insistence and a seriousness that gave the movement a moral tone. Politicians sneered at "snivel service," as they dubbed the proposed merit system, and the reformers were called "holier-than-thous," yet Curtis and his band went on with their agitation.

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By Garfield's time the country was aroused to the necessity of reform, and the politicians were giving it lip-service. But it was not until a President had been assassinated by the hands of an office-seeker that the lawmakers were spurred to take measures for abating the evils of the spoils system. In 1883 Congress passed the Pendleton Act, a law which had for its purpose the establishment of a "merit system" in the making of appointments. This Civil Service Law authorized the President to appoint three commissioners—the civil service commission—who should hold examinations to ascertain the qualifications of persons seeking office. The law guaranteed appointment upon the basis of merit, for it provided that only those persons should be appointed who should have passed the examinations and should be best qualified. The act brought only a few of the offices under the merit system, and only a small portion of the evils of the spoils system was immediately cured. Yet as the years went by the principles of the law were given a wider and wider application, with the result that more and more of the corrupting influences of party politics were eliminated from the administration of national affairs.

The Civil
Service Law

INDUSTRIAL PROGRESS, 1877-85

During the years 1877-85, in which Hayes, Garfield, and Arthur were Presidents, the nation, politically regarded, was in the doldrums. In all this time Congress gave the country only one reform of lasting importance—the Civil Service Law of 1883. But if the period was barren of political results, in other ways it was the day of wonderful things. The rate at which the country was moving along may be learned from the table of progress given below:

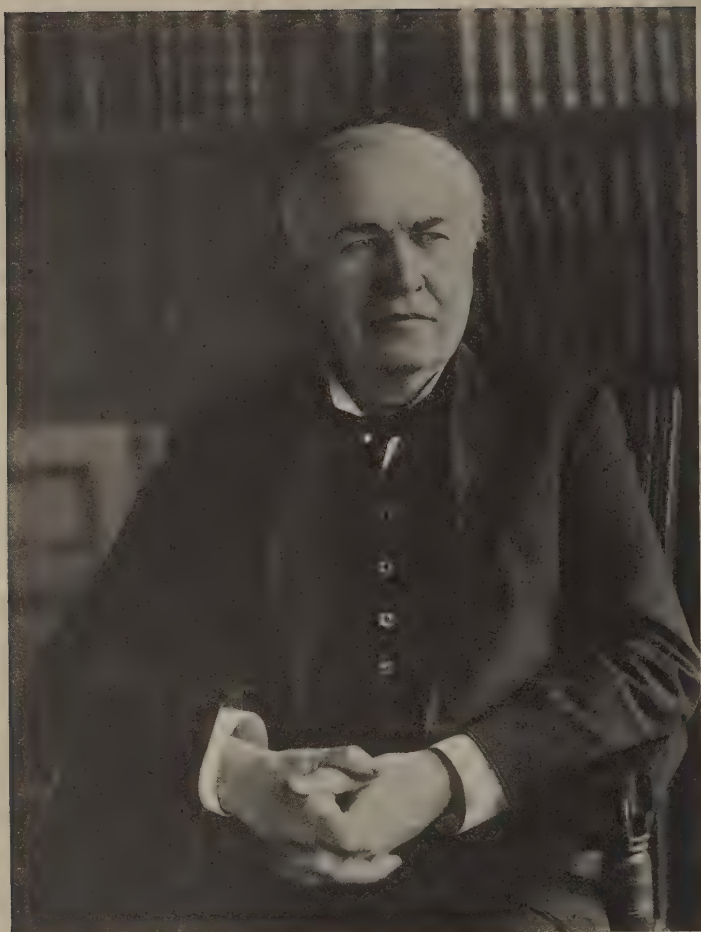
TABLE OF PROGRESS IN THE UNITED STATES BETWEEN
1870 AND 1890

	1870	1880	1890
Farms and farm property...	\$8,900,000,000 ¹	\$12,180,000,000	\$16,082,000,000
Farm products	1,950,000,000	2,212,000,000	2,400,000,000
Products of manufacturing.	4,232,000,000	5,309,000,000	9,372,000,000
Imports of merchandise....	436,000,000	668,000,000	789,000,000
Exports of merchandise....	392,000,000	835,000,000	837,000,000
Miles of railroad.....	53,000	93,000	167,000
Total wealth	30,000,000,000	43,000,000,000	65,000,000,000
Population	38,500,000	50,000,000	63,000,000
Urban population	8,000,000	11,300,000	18,200,000
Pupils enrolled in public schools	7,000,000	10,000,000	13,000,000
Wage-earners	2,053,000	2,730,000	4,251,000

A New
South

Many were the factors which were working together to produce the astonishing results shown in this table. For one thing, a new South was now contributing much to the national prosperity. The Federal army was no longer interfering with polling booths, and the whites of the South in one way and another were managing to maintain their supremacy, although in doing this they often deprived the negro of rights which it was the plain purpose of the Fifteenth Amendment to give him. And the South by this time had found itself industrially. The labor system was being adjusted to new conditions and the resources of the Southern States were being exploited on a scale never before known. In 1884, when a great cotton exposition was held in New Orleans, it was shown that the South was actually raising more cotton than she raised before the Civil War. In the eighties our cotton exports were nearly twice as great as they were in the fifties. By this time, too, the South was beginning to develop her rich mines of coal and iron, something she had never hitherto done. Before the war she relied altogether upon agriculture, and all she cared to raise was cotton. Now she was converting her ores into iron, and the products of the iron and steel mills of Alabama and Tennessee were competing in the market with the mills of the North. She was also developing her coal-mines. By 1880 she was operating 400 mines and producing nearly one eighth of all the coal mined in the United States. Besides adding mining to her industries she was engaging in manufacturing. Before the war there

¹The numbers are stated roundly and are based on the "Statistical Abstract" of 1910.



Thomas A. Edison

was very little spinning and weaving in the Southern States, but by 1885 mill towns were springing up in so many parts of the South that the effects of the industrial revolution were becoming visible. In the development of the new South the negroes were doing their full share and were rendering better service than they had rendered in the days of their bondage. "We have found out," said a distinguished Southerner, Henry W. Grady, in 1886, "that in the general summing up the free negro counts for more than he did as a slave."

Much of the progress in the South was due to a network of new railway lines that were penetrating isolated regions and bringing them into touch with the world of trade. And much of the progress of the nation taken as a whole was due to new lines of railroad. Never at any other period in our history did railroad building go on so fast. Between 1877 and 1885 nearly 50,000 miles of new track were laid. The capital invested in railways increased by more than \$3,000,000,000 during the five years preceding 1885.

New Lines
of Railroads

The network was spread over every portion of the country, but it was in the Far West that new lines were constructed on the grandest scale. By 1880 the Northern Pacific¹ had been built from Duluth clear across Minnesota and Dakota, and in 1883 trains bearing guests from Chicago and Portland met at a point in Montana, where a spike was driven to mark the completion of the great highway through the Northwest. Even earlier than this, transcontinental highways were opening up a new Southwest. In 1881 a railroad, which was afterwards known as the Southern Pacific, was in operation between New Orleans and the Pacific coast. Two years later the Atchison, Topeka & Santa Fé was completed, and one could travel by rail from Kansas City to Los Angeles. There were now four great iron highways extending across the continent like four mighty navigable rivers to bear the burdens of trade and travel. The part played by these roads in the development of the West will receive special attention in a subsequent chapter.

Four Iron
Highways
Across the
Continent

The rapid development of the transportation system would hardly have been possible had it not received the stimulus of two remarkable inventions: the Bessemer process of making steel, and the air-brake. In 1858 Sir Henry Bessemer of England invented a process by which tons of molten iron could be run into a furnace and in a

The
Bessemer
Process;
the Air-
brake

¹ See p. 541.

few minutes converted into a fine quality of steel. In 1866 American manufacturers began to avail themselves of the Englishman's methods, with the result that the output of Bessemer steel grew from 3000 tons in 1867 to 1,000,000 tons in 1880, and passed the 2,000,000 mark in 1886. Steel rails could now be used in railroad construction, and the boilers of locomotives could be made of steel. With a rail that could stand immense friction without serious injury and a boiler than could with safety carry steam at a very high pressure, it was possible to build locomotives that would draw larger trains and it was also possible to run the trains faster. But these heavy fast-running trains could not be stopped quickly by the old-time hand brake that was in use. With the old brake they would sometimes run as much as half a mile beyond a station before they could be brought to a standstill, and then when "backed" they would again pass beyond the station. The problem of stopping a train, therefore, became almost as important as the problem of starting it. The solution of the problem was found in 1881 when George Westinghouse invented a powerful brake which was operated directly from the engine by means of compressed air.

Improved
Agricultural
Implements

Many other new inventions were now beginning to work wonders in the industrial world. Of these not a few were of great benefit to the farmer. The gang-plow—a series of several plows joined together, mounted on wheels, and drawn by the power of steam—was taking the place of the plow that was drawn by horses and turned but a single furrow. The simple reaper of the early McCormick type¹ was replaced by the self-binder, whose steel fingers with almost human intelligence bound the sheaves as fast as they were cut. The self-binder was soon followed by the complete harvester, which cut the grain, threshed it, and put it into sacks. With the aid of these machines one agricultural laborer was as efficient in the production of grain as three or four had been before the inventions had been brought into use.

The "Age of
Electricity"

The electrical inventions of the time were so numerous and so startling in importance that the period may be regarded as the beginning of the "Age of Electricity." In 1880 Thomas A. Edison built a short railroad near his laboratory at Menlo Park, New Jersey, and demonstrated the practicability of using the electrical current as power for transportation. Three years later he exhibited an electric locomotive which ran around a circular track

¹ See p. 341.

one third of a mile in length. About 1885 street-cars began to take their power from overhead wires charged with an electric current, and the day of the trolley-car was at hand. This was only one of the many new uses to which electricity was put. Charles F. Brush of Cleveland in 1879 invented an arc-light made by passing a powerful current of electricity between two carbon points. This gave as much light as a hundred gas jets. Although the arc-light rivaled the light of day and was excellent for lighting streets, its painful glare and its disagreeable sputtering rendered it unfit for use within doors. Edison determined that the world should have a light that could be used anywhere, indoors or outdoors. He found that the new light must be incandescent—that it would have to be emitted from a filament made by an electric current. Discovering that many different kinds of substances could be used for making filaments, he worked day and night for many months trying to find the substance that would give the best light and last the longest. One day in 1880, after experimenting with almost every possible material, he took a bamboo fan, tore it to pieces, and made filaments of it. To his delight he found that he now had the incandescent light he had been so long seeking. It was about this time, too, that this “Wizard of Menlo Park” invented a talking-machine called the phonograph. The first phonograph was a crude thing, and it talked very poorly indeed. But Edison had faith in his machine and he made for it the following claims: “The phonograph will be largely devoted to music. It will preserve the sayings of those dear to us, and even receive the message of the dying. It will enable children to have dolls that will really speak, laugh and sing. It will preserve the voices of our great men, and enable future generations to listen to the speeches made by them.” People could not believe that such things were possible, but we now know that Edison did not claim too much, for the highly perfected talking-machines which are found in millions of homes to-day are simply improved forms of the phonograph which the “wizard” invented in 1878.

The most wonderful invention of this period, however, was an instrument that would carry the human voice from place to place. Back in the fifties a Frenchman named Bourseul produced a device by which a disk vibrating under the influence of the spoken word would by means of an electric current produce similar vibrations of a disk located at a distance. In 1874 Professor Alexander

Graham Bell of Boston seized upon an idea similar to Bourseul's. Bell saw in the vibrating disk a resemblance to the drum of the human ear. In imagination he beheld "two iron disks or eardrums, far apart and connected by an electrified wire, catching vibrations of sound at one end and reproducing them at the other. Accordingly he went to work to construct the apparatus which his mind had fashioned. After two years of hard labor he had a machine that would convey distinctly the sounds of the human voice over wires stretched between Boston and Salem; he had invented the *telephone*. At first the uncanny thing would operate only at short distances, but as improvements were made the distance grew greater and greater until at last one could talk in Boston and be heard in San Francisco, or talk in New York and be heard in London.

In recounting the factors that were contributing to the achievements of this period, we must not forget immigration. Without the brawn and the brain of the immigrant the progress would not have been so swift, nor the prosperity so great. The times called for more work than could possibly have been performed by American hands. Immigrants were needed, and they came in mighty streams. More than 4,000,000 of them came during the period 1878-85, which is now being considered. As always, the Germans and the Irish were in the lead. In the five years 1881-85 immigration from Germany alone reached the astonishing figure of nearly 1,000,000. Scandinavians, too, were now coming in faster than ever before. The new-comers were for the most part able-bodied, intelligent toilers and they were readily absorbed by the industrial world. In seeking new homes they spread over almost the entire country. Only a small proportion of them, however, settled in the South. By far the greater number went West where land was cheap and where they could engage in the occupation of farming.

Up to this time immigration had always been an easy, come-as-you-please matter: everybody was admitted; no bars had been put up. In the eighties, however, Congress decided that there were certain classes of foreigners to whom the hand of welcome must not be extended. One of these classes consisted of Chinese laborers. In the late seventies on the Pacific coast Dennis Kearny had led a movement against the further admission of Chinese, and as a result of this agitation Congress in 1882 passed a Chinese Exclusion Act

which closed the doors to Chinese laborers for a period of ten years—a period which was renewed in 1892, and again in 1902. In 1882 also Congress put up the bars against paupers, criminals, convicts, and the insane, requiring them to be returned at the expense of the vessels in which they came. But the most important of these early laws restricting immigration was the Contract Labor Act of 1885, which provided that persons brought to the United States under a contract to perform labor here should be sent back at the expense of the vessel bringing them. Of this measure one of the members of Congress who voted for it said: "It undertakes to prohibit the efforts of corporations and of individuals, and of capitalists, to introduce the cheap and servile labor of foreign lands . . . because that labor, as we know, can be commanded at very greatly reduced wages as compared with what we pay to the working people of our own country." This restrictive law seems to have had some effect, for in the years immediately following its passage immigration perceptibly declined.

While millions of foreigners went out on the farms, other millions who were artisans and skilled workmen took their places in shops and factories. For America by this time, as was shown by the table of progress,¹ was becoming a great manufacturing and commercial nation. This meant of course that it was becoming a nation of cities. By 1890 we were no longer a distinctly rural people. Nearly 30 per cent of our entire population was urban. New York was among the very largest cities of the world. Chicago had outstripped all the cities of the West and contained more than a million souls. Philadelphia also had more than a million, but she had lost second place to Chicago. St. Louis, Boston, and Baltimore each had a population of nearly half a million. Nine other cities—Cleveland, Pittsburg, Detroit, Buffalo, San Francisco, Milwaukee, Cincinnati, New Orleans, and Washington—had passed the two hundred thousand mark, while Newark and Minneapolis were rapidly approaching it. Cities grew wherever trade and manufactures flourished, which was in nearly every region of the country. In New England, New York, New Jersey, and Pennsylvania, where manufacturing was making the greatest progress, more than half the people lived in urban communities.

The
Growth
of Cities

¹ See p. 576.

SCHOOLS AND BOOKS

CHAP.
XXVIIIPublic
Schools in
Every State

The conditions of urban life and the highly complex industrial system that was being developed required millions of workmen who could read and write. Modern industry no less than democracy calls for a wide diffusion of knowledge among the people. It is no wonder, then, that popular education flourished during this period. The foundation of the public school system that was laid before the Civil War¹ was broadened and deepened after the war, and by 1885 in nearly every State there had been established an elaborate system of common schools which furnished the rudiments of education free to all children. In the South there were schools for the blacks as well as the whites. The high school was now an established institution in all parts of the country, and the normal school was training thousands of teachers. The enrollment of pupils assumed an enormous total, increasing from 7,000,000 in 1870 to 13,000,000 in 1890. Of course illiteracy was being reduced. Between 1880 and 1890 the percentage of illiterates over ten years of age fell from 17 to 13.3.

The Land
Grant Act

In the promotion of education the Federal Government was now doing its part. In 1862 Congress, "recognizing the changes consequent upon the introduction of machinery and the advent of steam and electricity as elements of industrial progress," had passed the Land Grant Act providing for the sale of nearly ten million acres of public lands, the proceeds of which were to be devoted to the support in every State of higher institutions of learning, where technical and agricultural branches should be taught. This law was the mother of many agricultural colleges. State after State availed itself of the advantages arising under the Morrill Act—as the Land Grant Act was usually called,—with the result that by 1885 there were scattered all over the country schools in which instruction was given in scientific farming and in the industrial arts. In a number of States the money received from the act was used for founding a university, the universities of California, Maine, Montana, Nebraska, Nevada, West Virginia, and Wyoming, as well as Cornell University, being among the institutions that in their early days were fostered by the Federal Government through the working of this beneficent statute. In 1867 Congress again showed its friendliness to the public schools by establishing the

¹ See p. 424.

Federal bureau of education, which, under the direction of such distinguished educators as Henry Barnard and William Torrey Harris, performed the useful service of collecting and disseminating information upon almost every conceivable topic of educational interest.

It was not only the common schools that were flourishing at this period. Public education was supplemented by lavish private endowments, and the gifts were dazzling in their munificence. One university received the enormous sum of \$30,000,000; another, \$12,000,000. The result of the princely benefactions was to give America great universities which in the completeness of their equipment were comparable to the historic universities of Europe. Smith, Wellesley, Johns Hopkins, Bryn Mawr, the Catholic University, Leland Stanford, Jr., and the University of Chicago were all founded between 1872 and 1892. As the list indicates, colleges for women were multiplying. In 1865 Vassar, the first college in the history of the world designed to give women all the advantages of education hitherto enjoyed by men, opened its doors for the reception of students, and within twenty years there were in the United States more than two hundred institutions for the higher education of women with a student body of more than 30,000.

Princely
Benefac-
tions

While facilities for education were increasing the character of the instruction was improving. It was in the eighties that the so-called "Quincy method" acquired vogue in public school circles. The old way of following text-books closely and learning by rote grew into discredit, and it became fashionable to teach by objects and concrete examples and by the actual application of principles. The higher institutions also were waking up. Under the leadership of Charles William Eliot, who for forty years was the president of Harvard, the rigid curriculum which had come down from the middle ages was discarded and in its place was adopted an elective system whereby the student was given large freedom in his choice of subjects to be studied. Under the leadership of Daniel Coit Gilman, the president of Johns Hopkins, universities began to emphasize the value of graduate work and to encourage advanced students to make original contributions to knowledge.

Better
Teaching

The progress made in belles-lettres during this period fell short of the achievements in other directions. American literature after the Civil War failed to maintain the high level which it had reached

Progress in
Belles-
lettres

by 1860.¹ Still, in the seventies and eighties many volumes of solid worth appeared. There were the stories of William Dean Howells, Bret Harte, F. Marion Crawford, Henry James, and George W. Cable; there were the poems of Sidney Lanier, Eugene Field, Thomas Bailey Aldrich, James Whitcomb Riley, C. H. (Joaquin) Miller, and R. W. Gilder; there were the volumes of inimitable humor of Samuel L. Clemens (Mark Twain) and E. W. (Bill) Nye; there were the scholarly histories of John Fiske, Henry Adams, and John Bach McMaster. Although these men may not have possessed genius of the highest kind, their books for the most part were more distinctly American than any that hitherto had been produced.

THE DEMOCRATS RETURN TO POWER

The
Nominees
and the
Platforms
in 1884

Turning from matters economic and social and reverting to the political aspect of the period now under consideration, we find that the Arthur administration remained uneventful to the end. The Presidential election of 1884, however, was an event of the greatest importance. President Arthur greatly desired the honor of a nomination but he refused to make a personal effort to get it. He doubtless would have failed if he had made the effort, for he was not in favor with those who had control of the Republican machine. The tide was running strong for Blaine as the nominee, and when the Republican convention met in Chicago early in June it nominated him on the fourth ballot. The Democrats, meeting in the same city a few weeks later, nominated Grover Cleveland of New York. In the platforms neither party came out for anything that resembled a well-defined issue. On the subject of the tariff there was gingerly treatment and dodging on both sides. The Republicans declared for a tariff, "not for revenue only, but to afford security to our domestic interests and protection to the rights and wages of the laborers." The Democrats abandoned the demand made four years before for a tariff for revenue only and were content to advocate a schedule of customs duties that "would not injure any domestic industry but rather promote their healthy growth, without depriving American labor of the ability to compete successfully with foreign labor." All this meant hardly anything more than that the Republicans were in favor of a protective tariff and the Democrats were not opposed to one.

¹ See p. 425.

Several smaller parties came forward with candidates and platforms. These minor parties did not figure largely in the campaign and were sneeringly referred to as "junk," yet in this political junk there was one party that advocated: (1) the right of Congress to regulate the currency issues; (2) the regulation of interstate railroads by Congress; (3) a graduated income tax; (4) the reduction of the hours of labor; (5) the abolition of child labor; (6) woman suffrage. Thus stones that were rejected by the builders in 1884 before many years became the chief stones of the corner.

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XXVIII

Minor
Parties

Since, so far as the two great parties were concerned, there was no great principle at stake, the contest of necessity turned upon the personalities of the candidates. How complete was the contrast presented by the two men! "In personality," says C. R. Lingley, "Blaine was magnetic, approachable, high-strung, possessed of a vivid imagination, and of a marvelous memory for facts, names, and faces. Over him men went 'insane in pairs,' either devotedly admiring, or completely distrusting, him. Cleveland was almost devoid of personal charm except to his most intimate associates. He was brusque and tactless, unimaginative, plodding, commonplace in his tastes and in the elements of his character. Men threw their hats in the air and cheered themselves hoarse at the name of Blaine; to Cleveland's courage, earnestness, and honesty, they gave a tribute of admiration."

A Contrast
of Person-
alities

Blaine's life had long been an open book, and the glare of publicity had revealed so many flaws in his public record that a large number of influential Republicans refused to support him. These bolters, who received the popular name of "Mugwumps," but who regarded themselves as reformers, organized and did all the harm they could to the Republican ticket. Blaine professed not to care for them. "They are noisy," he said, "but not numerous, pharisaical but not practical, ambitious but not wise, pretentious but not powerful." Cleveland's life at the time of his nomination was not an open book, for his career had been rather obscure. He had been mayor of Buffalo and governor of New York and had filled both places with credit. But during the mud-slinging of the campaign every fault of his private life was dragged from its dread abode, with the result that the country was asked to believe that the Democratic candidate was a monster of immorality. When the rumors were run to their sources, it was found that, with

the exception of a single episode, Cleveland's life had been one of singular rectitude.

As the scurrilous and ill-mannered contest drew to a close it seemed certain that the result would hinge upon the vote of New York. Here fortune seemed to have loaded her dice with the view of defeating Blaine. The State was the stronghold of the Mugwumps, and their antagonism was violent. Furthermore, Conkling, still smarting with the old wound,¹ was feeding fat his ancient grudge by holding aloof and taking no part in the campaign. To cap the climax, disaster to Blaine was invited by the rash words of one of his own supporters. At the very end of the campaign the Rev. Samuel Burchard, addressing a meeting of clergymen in New York, said: "We are Republicans and don't propose to leave our party and identify ourselves with the party whose antecedents have been *rum, Romanism, and rebellion.*" Blaine was present at the meeting and failed to rebuke the indiscreet remark. The Democrats saw their opportunity, and in less than twenty-four hours the Burchard alliteration was spread all over the country. Every Catholic voter in the State of New York was told that Blaine had allowed a slur upon the church to pass unrebuked. Frantic efforts were made by the Republicans to repair the damage inflicted by the tongue of the indiscreet parson, but all to no purpose; election day was too near at hand. The popular vote in New York gave Cleveland 563,144 and Blaine 562,005. The thirty-six votes of the Empire State had been won by the Democrats, and the electoral vote stood 219 for Cleveland and 182 for Blaine. Thus through the loss of a single State by the narrow margin of about 1000 votes the Republican power was broken and the Democratic party for the first time since 1856 found itself triumphant in a national election.

This triumph was of the utmost significance to the nation. By electing Cleveland the voters of the country not only put an end, temporarily at least, to the domination of the great party that seemed to be well-nigh invincible, but they bestowed power upon a party that had its greatest strength in the South and that was largely under the control of Southern influences. The election, therefore, was an expression of confidence in the South. No longer were Northern men afraid to have Southern men as leaders in the councils of the Government. No longer were the people afraid

¹ See p. 563.

that secession would again show its head, that the South was scheming to ride rough-shod over the North, or that the ascendancy of any one party was necessary for the safety and salvation of the country. The election of Cleveland therefore had the effect of drawing the North and South together and bringing the two sections to deal with each other in a spirit of friendship and mutual good-will. The history of our country since 1885 is the history of a united people.

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1876 Queen Victoria proclaimed empress of India.
- 1877 General Grant starts on his tour around the world.
- 1878 Senate ratifies the Samoa treaty, which gives United States naval vessels use of harbor at Pago-Pago.
Greenback party unites with Labor Reform party, forming Greenback-Labor party.
- 1879 Exodus to Kansas of a large number of negroes from the "black belt" of the South.
Cable communication established between United States and France.
Ute Indians are subdued.
- 1880 Kansas adopts prohibitory amendment.
- 1881 International Cotton Exposition opened at Atlanta.
- 1882 J. F. Slater gives \$1,000,000 for education of colored people of the South.
Edmunds Law against polygamy in Utah is passed.
Allegations of fraud in the conduct of the rail service on ten star routes lead to an investigation and a trial in the courts.
- 1883 Letter postage reduced from three cents to two cents.
Civil Rights Act of 1875 giving colored people equal privileges in hotels, theaters, etc., with white people is declared unconstitutional by the Supreme Court.
- 1884 Brooklyn suspension bridge is opened to the public.
People's (Labor and Greenback) party nominates B. F. Butler for the Presidency.
Prohibition Party nominates J. P. St. John for the Presidency.
Cotton Exposition at New Orleans is opened.
United States bureau of labor is created.
- 1885 Washington Monument (555 feet high) is dedicated at Washington.

Suggested Readings

- President Hayes and the South: Sparks, pp. 84-102.
- Administration of Hayes: Lingley, pp. 103-122.
- A Republican revival: Stanwood, Vol. I, pp. 394-418.
- An interlude: Haworth, pp. 125-145.
- The Blaine-Cleveland campaign: Sparks, pp. 305-340.
- The growth of manufacturing industries: Lippincott, pp. 441-468.
- Latter-day writers, 1866-1904: Trent, pp. 220-250.
- Economic consequences of immigration: Ross, pp. 195-227.

XXIX

THE BEGINNING OF A NEW INDUSTRIAL ORDER

THE forces that were ruling America at the time the Democrats were restored to power were industrial rather than political. Men's thoughts were centered upon the changes that were taking place in the business world and in the world of labor; for these changes were the overshadowing fact of the period. Between the inauguration of Cleveland and the opening of the twentieth century "captains of industry" were bringing about a concentration of wealth unparalleled in history, and "captains of labor" were organizing working-men's unions on a scale of startling magnitude. The changes were so profound and were so radically different from anything that had existed before that it may be truly said they marked the beginning of a new industrial order.

CLEVELAND AT THE HELM

Cleveland's
Inaugural
Address

At the time President Cleveland entered upon his duties there were many who felt that his abilities were small and that he was incapable of a high order of statesmanship. The country was not long in finding out that there need be no misgivings of this kind. In his inaugural address the new President acquitted himself in a manner that surprised his critics. Few things in the whole literature of democracy are finer than the following passage:

But he who takes the oath to-day to preserve, protect, and defend the Constitution of the United States only assumes the solemn obligation which every patriotic citizen—on the farm, in the workshop, in the marts of trade, and everywhere—should share with him. The Constitution which prescribes his oath, my countrymen, is yours; the Government you have chosen him to administer for a time is yours; the suffrage which executes the will of freemen is yours; the laws and the entire scheme of our civil rule, from the town-meeting to the State capitals and the national capital, are yours. Your every voter, as surely as your chief magistrate, under the same high sanction, though in a different sphere, exercises a

public trust. Nor is this all. Every citizen owes to the country a vigilant watch and close scrutiny of its public servants and a fair and reasonable estimate of their fidelity and usefulness. Thus is the people's will impressed upon the whole framework of our civil polity—municipal, State, and Federal; and this is the price of our liberty and the inspiration of our faith in the republic.

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In the interest of union and harmony the President determined that the South should be represented in his cabinet. As members of his official family he selected Thomas F. Bayard of Delaware as secretary of state; Daniel Manning of New York as secretary of the treasury; William C. Whitney of New York as secretary of the navy; William C. Endicott of Massachusetts as secretary of war; William F. Vilas of Wisconsin as postmaster-general; A. H. Garland of Arkansas as attorney-general; and L. Q. C. Lamar of Mississippi as secretary of the interior. Bayard was a border State man upon whose friendship the South could rely; Lamar had been a leader in the secession movement of 1861; Garland had opposed secession, although when his State went out he went with it. With the exception of the secretary of state, who was a leader of commanding talents, the men of the cabinet for the most part were without experience in national affairs, and several of them were almost unknown. All of them, however, proved to be men of resourceful ability, and, taken as a body, they showed themselves to be a rather remarkable group of administrators.

An Able
Group of
Adminis-
trators

When it came to the appointment of the minor officers President Cleveland soon found himself in hot water. At the time of his inauguration there were in the Federal civil establishment several thousand "Presidential offices"—offices filled by the direct appointment of the President—and more than 100,000 positions of lower rank. All—or nearly all—of these places were occupied by Republicans. To secure these offices Democratic party workers swarmed like locusts in the streets of Washington, as politicians since the days of Jackson had always swarmed there upon the incoming of a new administration. That the Democrats in 1885 should be importunate in their demands was a thing to be expected, for they had been out in the cold for more than a quarter of a century. They clamored for a "clean sweep." But the President was in no position to make wholesale removals, for he was committed to the principle of civil service reform. In his letter accepting

A Friend
to Civil
Service
Reform

his nomination he had said: "The selection and retention of subordinates in government employment should depend upon their ascertained fitness and the value of their work." This was as much as to promise that he would uphold the Civil Service Law. Indeed he had told the Independents in December, 1884, that he regarded himself pledged to this law, because his conception of true public duty was that every statute upon the books should be enforced in good faith. In his inaugural address he had said: "Merit and competency shall be recognized instead of party subserviency." When the time came for him to act the country soon learned that he meant what he said. To the dismay and disgust of the politicians he took seriously the pledges he had made and tried in earnest to advance the cause of reform. Gradually he extended the operation of the Civil Service Law, and he demanded of appointees a reasonable standard of character and efficiency. There were in office many "offensive partisans and unscrupulous manipulators of local party management." These Cleveland regarded as having forfeited all just claims to retention, and they were speedily removed. The result of his policy was that he pleased nobody. "Democratic spoilsmen charged him with disloyalty; Republicans accused him of hypocrisy; while Independents, now encouraged by his steadfastness, now angered by his shortcomings, were soon lost in bewilderment and furnished keen sport for the taunts of ardent partisans." But this denunciation and carping may now be forgotten and the course of the President commended; for he did much for the merit system and was friendly to it at the very time it sorely needed a friend.

During the entire period of the first Cleveland administration the Senate was Republican. For the President to be of one party and one of the branches of Congress to be of another was now becoming a chronic condition in the make-up of the Federal Government. For nearly twenty years after the "tidal wave of 1874" only in two brief periods of two years each (1889-91 and 1893-95) were Congress and the executive united by the same party ties. During these momentous years, therefore, the two parties were nearly all the time pulling against each other. At a time when all the energy of government ought to have been directed solely to the furtherance of the national weal, leaders were playing small politics and manœvering for party advantage. The result, of course, was a shameful neglect of public interests.

With the administration and the Senate at cross-purposes, there could be no important constructive legislation concerning which there might be a sharp difference of opinion. Nevertheless, Cleveland's first term was not utterly barren of useful laws; several measures of a non-partisan character were enacted. One of these was an act regulating the succession to the Presidency. The necessity for action on this subject became apparent upon the death of Vice-President Hendricks on November 25, 1885. As the law stood, had Cleveland died between the date of the Vice-President's death and the meeting of Congress there would have been no one to take his place. To meet any future contingency of this kind the Presidential Succession Act was passed in 1886. This law provides that if for any reason neither the President nor the Vice-President can discharge the duties of the Presidential office, members of the President's cabinet shall succeed to the Presidency in the following order: (1) the secretary of state; (2) the secretary of the treasury; (3) the secretary of war; (4) the attorney-general; (5) the postmaster-general; (6) the secretary of the navy; (7) the secretary of the interior. The officer succeeding to the Presidency serves during the remainder of the four years. With this statute on the books it was no longer probable that any emergency would ever arise which would leave the country without a President for a single day. Another law having to do with the Presidential office was the Electoral Count Act, passed in 1887 with the purpose of avoiding trouble such as arose in 1876 in connection with the counting of the electoral vote. The act provided that in the future each State should determine for itself the manner in which its electoral vote should be counted, and that when a State issues a certificate announcing the result of the vote cast by its Presidential electors such certificate shall be accepted by Congress as the true and final result of the election in that State.

The administration and Congress could also agree upon plans for strengthening the national defense. After the Civil War, as after previous wars, the subject of preparedness was one to which neither the people nor their leaders gave any considerable attention. The army was reduced to a smaller and smaller size until by Cleveland's time it had dwindled to fewer than 25,000 enlisted men. The navy, too, was neglected. Few new ships were built, and many of the old ones that had been built for action in the Civil War were allowed to fall to pieces. During the administration of

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Two Non-
partisan
Laws

A Stronger
Navy

Arthur, however, Congress did something for the rehabilitation of the navy, but not very much. In 1886 Secretary Whitney in his report stated that although \$75,000,000 had been spent on the navy between 1868 and 1886 the money had been virtually thrown away. "It is questionable," he said, "whether we have a single naval vessel finished and afloat at the present time that could encounter the ships of any important power—a single vessel that has either the necessary armor for protection, speed for escape, or weapons for defense." A bill providing for an increase of the navy passed both houses in 1886 and was signed by the President. This bill, historic in the annals of our navy, provided for the building of a battle-ship, the *Texas*; an armored cruiser, the *Maine*, and a protected cruiser, the *Baltimore*. From this time the development of the navy became a fixed policy of the Government, and by 1893 the United States as a naval power had advanced from twelfth to fifth place.

CONSOLIDATION AND CONCENTRATION

Before going further with the narrative of particular events, it will be best to take a survey of the general economic situation that existed about the middle of the eighties. Let us, then, draw near and view closely the conditions which prevailed in the world of American business in the days of Cleveland's first administration.

The
Industrial
Corporation

The outstanding economic fact in the eighties was the tremendous advance that was being made by the industrial corporations. Before the Civil War ordinary business was almost universally carried on either by partnerships or individuals. Under the workings of the factory system some very large industrial establishments had made their appearance; but for the most part these were owned and managed either by one person or by a small group of persons who had combined their capital and formed a partnership. In the building of railroads, however, the corporation had generally been brought into use. This was because any large railroad undertaking required a capital investment of many millions of dollars, and there was no single person or small group of persons who had a sufficient amount of money to finance the enterprise. In 1860 there was hardly a score of millionaires in the whole country.

When
Corporations
Were
Praised

Although men in the industrial field had as yet made but little practical use of the corporation, they had nevertheless learned a



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A NEW YORK SKYSCRAPER SCENE

great deal about its efficiency in business organization. They saw that the thing called the corporation was endowed with immortality; that it was a group of natural persons authorized to act as one artificial person and that this artificial person could do many things that a natural person could not do and do them on a vastly larger scale; that it was an agency by which the free capital of a community could be readily and quickly massed and applied to a particular enterprise; that it protected the investors from any loss that might overwhelm their whole estate. They saw good in the corporation and they charged it with no evil. Rather, they entertained an affectionate regard for it. To the mind of a writer in "Hunt's Magazine" a corporation before the Civil War was the "rose of wealth without its supposed thorn; it was an artificial pecuniary giant without the danger of the natural giant." "Corporations," says this writer, "transfer social progress from the rich, who are always comparatively few in number, to the relatively poor, who are numerous. Nor is this all. Their timidity and lack of enterprise are naturally great in proportion to the largeness of their property; hence corporations, in transferring social progress from the rich, transfer it from the timid to the bold, as well as from the few to the many."

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The day was not far distant when a different tune was sung. During the Civil War when conditions required that goods be produced on the largest possible scale and with the greatest possible efficiency, and when it was necessary to raise large amounts of capital in the easiest way, manufacturing establishments in great numbers were organized as corporations. By the time the war was over a high official of the Government called attention to the fact that a rapid concentration of the manufacturing business with vast establishments was resulting in the annihilation of thousands of smaller concerns. In the years immediately following the war concentration went on faster than ever and corporations were formed in greater numbers than ever. And as they multiplied they fell into popular disrepute. "Corporations," said Whitelaw Reid in 1872, "have spread over the land with a growth like that of Jonah's gourd, but with a texture that no hot suns yet seen can wither. To them you largely owe the ruin of legislative virtue, and the dangerous tempting of judicial honor. Creatures of the State, they control and command the legislation of the State, the interpretation of the laws, and the election of its law-makers.

The Cor-
poration is
Denounced

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"Concentration Was
in Things"

Servants of the people, they are making themselves the masters—are threatening indeed, under the form of republicanism, to subvert entirely the government of the people for the people."

When these words of gloom were spoken the corporation movement was really only in its infancy; in the years just ahead corporations multiplied with marvelous fecundity. They were bound to multiply because consolidation was now the order of the day; *concentration was in things*. The development and prosperity of the country depended upon the operation of centralizing influences. The accumulating demands of a large and rapidly increasing population spreading itself over an ever-expanding area could be met only by the unity of effort and the efficiency that go with corporate management. Furthermore, the economic doctrine of *laissez-faire*, dominant at this time in commercial circles, was entirely favorable to combination. According to this doctrine, business is purely and wholly a private affair; the individual must be allowed to enter into whatever occupation he wishes, and buy and sell in a manner best suited to his interests, and there must be no regulation or interference by government. *Laissez-faire*, always a blessed philosophy to men with strong acquisitive instincts, was thrice blessed to fortune-hunters bent on amassing great wealth in a country where natural resources of incalculable value were still untouched, where land and forest and stream and mine were waiting for the exploiter. The splendid facilities for carrying on commercial transactions must also be counted as one of the factors that were making for big things. The express-train carried the business man from place to place with lightning speed and increased enormously his power to bargain, to plan, to superintend, to strike out in new fields. The telephone and telegraph kept him in touch with all parts of the country and enabled him to transact as much business between breakfast and lunch as in the old time could be transacted in a month. By making good use of these and other agencies of science and invention a man of adventurous spirit with brains and a talent for organization could increase his business efficiency a hundred-fold and, in exceptional cases, gain for himself a place among those economic giants known as "captains of industry."

The
Corporation
as a Legal
Person

The corporation, therefore, was simply one of a number of forces that were operating to produce concentration in commerce and industry. It was popular in business circles because of its efficiency. In the eighties it took on new vitality when the Supreme

Court of the United States squarely and positively decided in 1889 that a *corporation was a person* within the meaning of both the "due process" clause and the "equal protection" clause of the Fourteenth Amendment. The court had in 1873 held that the purpose of this amendment was for the protection of the negro and had said: "We doubt very much whether any action of a State not directed by way of discrimination against the negroes as a class, or on account of their race, will ever be held to come within the purview of this provision." But this was not the thing that came to pass. As time advanced litigation under the amendment involving the negro diminished almost to the vanishing-point, while nearly all the important cases were in some way concerned with corporations. In about four cases out of five the corporations won. Moreover, the judgments of the court have had the result of sheltering corporations within a region of jurisprudence where it cannot be effectually reached by either Federal or State authority. How the intervention of the court has operated to produce this amazing effect is explained by Charles Wallace Collins as follows: "The Fourteenth Amendment in its practical operation gives to the Federal Government no power of control. Congress is powerless under it to make any laws by way of regulating the internal affairs of the States. It does, however, give the Federal Government through the Supreme Court almost unlimited power of intervention. . . . This intervention under the amendment has a very remarkable effect. The State is directed or restrained along a certain line of activity. The Federal Government is powerless to go any further. Having restrained the State from acting, its authority ceases absolutely. Within the particular sphere in controversy the State is also rendered powerless. Thus there is created a field in which business operations may be carried on over which neither the Federal Government nor the State can take any effective action. This has been fittingly called the Twilight Zone. Intervention under the amendment has this inevitable result. Beyond the pale of the law there is seen a shadowy realm in which the power of wealth may move to and fro unhampered by the will of the people."¹

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The Twi-
light Zone

¹By way of illustration Mr. Collins cites the case of *Smythe v. Ames* (169 U. S., 466): "Here the Supreme Court restrained, by virtue of the Fourteenth Amendment, the enforcement of the Nebraska freight rate law, on the ground that the rates were too low and discriminating. Since this did not involve the question of interstate commerce, the Federal Government was powerless to come

It was a great day for the corporation when it was declared to be a legal person, for it could now go ahead with its plans possessed of all the privileges that go with *laissez-faire* and protected by the law, even as a natural living man is protected. This meant that in the field of competition its blows would be deadlier than ever. It was already in that field cutting and slashing at such a furious rate that it was changing the face of the industrial world. It was threatening to destroy the very principle of competition. Before the Civil War men were accustomed to say that competition was the life of trade, and as a general rule this was true. In those days men were not afraid to go into the market and fight. Any concern that managed its affairs wisely and produced goods that were in demand could hope for success, since in the struggle for business it stood on an equal footing with its competitors. But in the eighties small establishments were finding that competition was the death of trade. The corporation was manufacturing on a tremendously large scale; it was making use of the best mechanical devices; it was establishing factories at strategic points with the view of economy in distribution; it was using by-products to good advantage; it was maintaining within the factory an organization that got from the men the greatest possible amount of effective labor; it saved large sums in office expenses and in the expenses of salesmanship. With this array of advantages on the side of the large establishment it could manufacture goods in immense quantities, sell them at a very small profit, and still make fabulous sums of money. If the small producer attempted to meet the prices of his great rival he ran a good chance of being ruined.

A few figures will show the changes that were taking place at this time in the business world—changes due largely to corporate influences. In 1870 the number of iron- and steel-mills in the United States was 808, the average capital invested by each mill being about \$150,000. In 1890 the number of iron-mills was 719, the average capital invested by each mill being \$575,000. In 1880 the number of establishments engaged in making reapers, plows,

in and fix the proper rate or to advise the people as to what would be a reasonable rate. Granting that the existing rates were too high, allowed the railroads too much profits, and consequently worked to the detriment of the welfare of the State, there was left no remedy to the people who were thus directly affected. The Federal Government was helpless. The hands of the State were tied. The freight trains moved on in the Twilight Zone." See "The Fourteenth Amendment and the States"; p. 132.

and other agricultural implements was 1943, the average capital of each establishment being about \$32,000. Ten years later the number of concerns making agricultural implements was 910, the average capital of each concern being about \$168,000. Take the leather industry: here the number of establishments fell from 7569 in 1870 to 1787 in 1890, while the average capital of each establishment rose from about \$8000 in 1870 to about \$55,000 in 1890. Thus it was all along the line: establishments were growing larger and larger and the number of establishments was growing smaller and smaller. This meant, of course, that the small company was either being absorbed by the larger or was being driven to the wall.

Consolidation did not end with the driving out of the small concern; for competition was not yet at an end. Before the eighties had passed the big corporations that had just come into being were competing with each other. Now it was diamond cut diamond. Indeed the struggle was so fierce and costly, so destructive of profits, that the big companies began to look about for a method of avoiding competition with each other. The remedy of course could be found only in further combination. When combination is possible, competition is impossible. The movement for the consolidation of the big corporations began about 1880. At first an effort was made to stifle competition by means of the *pool*. Several corporations engaged in the same business, placing the marketing of their products under a central management, would agree upon a uniform scale of prices and upon the amount of goods that each separate corporation was to produce and sell. Under this arrangement there was no bidding for trade, no higgling about prices; the buyer if he bought from a company belonging to the pool would have to pay the price fixed by the pool. The aim of the pool, therefore, was the complete strangulation of competition and the establishment of monopoly. But, with the exception of the exclusive rights granted by Congress to authors and inventors, monopoly has no place in American law. Accordingly, the pool was in 1882 declared illegal and combinations of this kind were dissolved. Next the *trust agreement* was tried; the combining companies deposited their stocks with a central board of trustees and received in exchange trust certificates. The trustees managed the business of the uniting companies, fixing the prices and controlling the output of each constituent corporation. Since the trust agreement was little else than a ruse—a pool in disguise—it too was declared to be

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The development of
the Trust

a monopoly and was driven from the industrial field as an outlaw. But the corporations were not to be thwarted. Their next move was to form a *trust*. And what is a trust? It is simply a giant corporation consisting of a number of corporations where separate interests are merged and blended into one concern. But a company can hardly be called a trust unless it is big enough and powerful enough to control, or to go far toward controlling, the prices of the goods it manufactures. J. A. Hobson, an economist, defines trusts as being a "class of syndicates which have established a partial or total monopoly in certain productive industries by securing the ownership of a sufficient proportion of the interests of production to enable them to control prices."

The evolution of the trust is fitly typified by the story of the Standard Oil Co., the pioneer in the trust movement. In 1862 a partnership for the refining of petroleum was formed between John D. Rockefeller, his brother William Rockefeller, and an English mechanic named Samuel Andrews. By 1870 this partnership had grown into a corporation known as the Standard Oil Co. Within five years the newly organized concern had absorbed about all the refineries in the United States except those in western Pennsylvania, where the oil business had its origin. By 1879 virtually every one of the Pennsylvania refineries also had passed under the control of the Standard Oil Co. and it was the master of 95 per cent of all the oil refining plants in the United States. How was this startling result achieved? In large measure through business efficiency, foresight, and better methods of refining. But its success was not altogether due to merit. Its warfare upon competitors was savage and ruthless, and some of its practices were grossly unethical and unfair. Business men in those days were no better than their political contemporaries. Just about the time Tweed had reached the end of his tether, the South Improvement Co. was formed. This was a concern secretly organized in 1872 by the two Rockefellers and eleven other persons for the purpose of securing advantageous arrangements with the railroads for oil shipments. The company persuaded the railroads to enter into a contract to carry oil at about half the price paid by other shippers. Another portion of the contract provided that the roads, besides giving rebates to the Improvement company on all oil shipped by its competitors, should furnish it every day with full way-bills of all such shipments. That is, the roads agreed to let it know exactly

the amount of business its competitors were doing and with whom the business was being done! This contract was signed by Jay Gould, Thomas A. Scott, and William H. Vanderbilt. But the conspiracy fell through. The public caught wind of the iniquitous scheme and in double-quick time the charter of the South Improvement Co. was annulled by the action of the Pennsylvania legislature. The company did not live to do a dollar's worth of business, yet it existed long enough to damage the reputation of the men connected with it.

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With the giant corporation came the colossal private fortune. Never before did money flow so fast into the pockets of the few. At first the railroads were the Pactolian stream. The railroad magnate, Cornelius Vanderbilt, who just before the Civil War was worth about \$1,500,000, died in 1877 leaving a fortune of more than \$100,000,000, nearly all of which was acquired by shrewd manipulation of railroad properties. Another rail magnate, Jay Gould, who just before the Civil War was worth virtually nothing at all, by the middle of the eighties had by means of railroad transactions accumulated something like \$80,000,000. By this time the industrial barons—the “captains of industry”—were coming into their own and were lining their pockets as fast as the railroad men were lining theirs. The head of the Standard Oil Trust, John D. Rockefeller, who began life in the fifties as a clerk, in the eighties was counting his wealth by the tens of millions and was presently to be counting it by the hundreds of millions. Andrew Carnegie, who in his early youth worked in a factory as a bobbin-boy for twenty cents a day, was now building up a steel business that was making him one of the richest men in the world.

Colossal
Private
Fortunes

It was not only in financial circles that consolidation was taking place. While captains of industry were marshaling the mighty forces of capital, captains of labor were building up powerful combinations of working-men. There were reasons enough why labor in the eighties should be active in the concentration of its forces. The increasing urban population¹ lent itself easily and naturally to the organization of larger bodies of working-men. In the manufacturing industries alone there were several millions of handicraftsmen. Vast numbers of these joined the union, because they felt that with organization back of them they would have a better chance of securing legislation favorable to their class. But the

Captains
of Labor

¹ See p. 581.

thing that operated most powerfully to bring working-men together was the necessity of matching the combinations of their employers with combinations of their own; they could not hope to stand up against the corporations unless they availed themselves of the strength that goes with union.

The organization that held the center of the stage was the Knights of Labor. This was an association that in its composition and constitution differed widely from anything that had gone before. It was not a trades-union of the usual kind, but a grand consolidated union of all trades and grades of workers. Its ambition was to be the "one big union." Its initiation fee was fifty cents, and any person more than eighteen years of age working for wages, or who at any time worked for wages, could become a member. No person who either sold or made his living by selling intoxicating liquors could join. Lawyers and bankers also were refused membership. The motto of the Knights was: "An injury to one is the concern of all." Their aim was to "secure to the workers of society the fullest enjoyment of the wealth they create; leisure for the development of their intellectual, moral, and social faculties, and all the benefits, recreations, and pleasure of association—in a word, they declare themselves ready to join in any movement which will enable them to share in the gains and honor of advancing civilization." To accomplish these ends they advocated among other things the referendum in making laws; the creation of governmental bureaus for collecting labor statistics; compensation for injuries received through lack of proper safeguards; compulsory school attendance for children between the ages of seven and fifteen; a graduated tax on incomes and inheritances; the establishment of postal savings-banks; the gradual introduction of the eight-hour day; the government ownership of railroads, telegraphs, and telephones. The leaders who formulated these demands were denounced for their radicalism yet some of them lived to see the day when virtually all their aims had been actually achieved. The Knights were organized in 1869, but the real growth of the order began after the labor troubles of 1877.¹ By 1882 the membership of the organization numbered 140,000. Four years later it reached the high-water mark of 700,000. The Knights were now under the leadership of Terence V. Powderly,

¹ See p. 545.

the most prominent of the captains of labor who were now coming out to give battle to the captains of industry.

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Powderly and his subordinates exerted an influence among workers that startled the American public. Said a writer in the New York "Sun":

Five men in this country control the chief interests of five hundred thousand workingmen, and can at any moment take the means of livelihood from two and a half millions of souls. These men compose the executive board of the noble order of the Knights of Labor of America. The ability of the president and cabinet to turn out all the men in the civil service, and to shift from one post to another the duties of the men in the army and navy, is a petty authority compared with that of these five Knights. . . .

They can stay the nimble touch of almost every telegraph operator; can shut up most of the mills and factories, and can disable the railroads. They can issue an edict against any manufactured goods so as to make their subjects cease buying them, and the tradesmen stop selling them.

They can array labor against capital, putting labor on the offensive or the defensive, for quiet and stubborn self-protection, or for angry, organised assault, as they will.

Although this was a highly exaggerated notion of the power actually wielded by the Knights, it illustrates very well the effect which their organization was having upon the popular mind.

After 1886 the Knights began to decline both in power and number. This was in part because they became engaged, as we shall presently learn, in extensive strikes, the failure of which caused them to lose prestige, and in part because their peculiar organization brought them into conflict with the regular trade-unions, and thus caused a perilous impairment of harmony and unity within their membership. But that which hastened their decadence most was the rise of a new body organized on a different principle: this was the American Federation of Labor. This organization was founded in 1881, but did not assume its present name until 1886. In its structure and in its policy it was the antithesis of the Knights of Labor. The Federation of Labor, as is indicated by its name, was organized with the purpose of uniting trade-unions into a federated body. Its constituent unit is the local trade-union of a given town or city. In its broad outlines the government of the Federation bears a strong resemblance to the

The
American
Federation
of Labor

United States Federal Government. Each trade-union joining the Federation of Labor is allowed to govern itself in respect to the matters which pertain to its own trade, and to govern itself through its own officers. The difference between the Knights of Labor and the Federation of Labor is stated by Samuel Gompers, for forty years the president of the Federation, as follows: "The Knights admitted any one to membership . . .; the Federation confines membership to workingmen, not admitting even farmers who are employers of labor on their farms. The Knights were a centralized society based on lodges established by the central union; the Federation is based on its unions' individuality. But chief of all, the Knights assumed that organization of all classes of workers in one union in each locality would bring about the best results, while the Federation realized that the organization of each trade in its particular union and the affiliation of all unions in a comprehensive federation was sure to strengthen each and bring advantage to all." The objects of the Federation are: to secure legislation in the interest of the working masses; to encourage the sale of union-labeled goods; to influence public opinion by peaceful and legal methods in favor of organized labor; and to aid and encourage the labor press of America. The Federation seemed to meet the needs of the working-men. "It gave free play to an enlightened self interest in the individual trades, while supplying a ready instrument for the accomplishment of those aims which can safely be prosecuted in common." The growth of the Federation at first was slow, but its numbers kept on increasing until at last its members were counted by the million. In 1922 it was claiming a membership of more than 5,000,000.

Thus the middle of the eighties saw the beginning of a new industrial system. In commerce and industry consolidation was becoming the order of the day and things were moving straight toward monopoly. In labor circles, too, the trend was toward concentration on a scale never before thought of. But the first-fruits of these centralizing tendencies could not be viewed with complete satisfaction. President Cleveland in a message to Congress in 1888 said: "Our cities are the abiding places of wealth and luxury; our manufactures yield fortunes never dreamed of by the fathers of the Republic; our business men are madly striving in the race for riches, and immense aggregations of capital outrun the imagination in the magnitude of their undertakings. . . . We

find the wealth and luxury of our cities mingled with poverty and wretchedness and unrelenting toil. . . . The gulf between employers and the employed is constantly widening and classes are rapidly forming, one composing the very rich and powerful, while in another are found the toiling poor. As we view the achievements of aggregated capital we discover the existence of trusts, combinations, and monopolies, while the citizen is struggling far in the rear or is trampled to death beneath an iron heel. Corporations, which should be the carefully restrained creatures of the law and servants of the people, are fast becoming the people's masters." Surely the changing order was bringing with it new maladies which were calling for new remedies.

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THE REGULATION OF THE RAILROADS

Although statesmen were fully aware of the maladies of the day, they were extremely slow in applying remedies. There was one great problem, however, which, willing or unwilling, they had to take up. This was the transportation problem: public opinion demanded that they do something to remedy the evils that were rampant in railroad management. Railroad abuses had for many years been flagrant, but by the middle of the eighties they had become intolerable, and there was a loud cry for relief.

Intolerable
Railroad
Abuses

From what quarter was the relief to come? We learned that in the seventies the Grangers enacted laws regulating the business of railroads carried on wholly within their boundaries, and the laws were upheld by the Supreme Court.¹ But the net result of the granger movement was very small; the only thing accomplished by it was to establish the principle of control within the State. That this control was limited strictly to intra-state business was definitely settled in 1886 by the Supreme Court of the United States in a decision which held that State legislation affecting interstate commerce was unconstitutional. State regulation therefore was a broken reed upon which the people could not safely lean. If relief was to come it must be secured from Congress. Accordingly to that body the people carried their case.

Their case had really been before Congress for many years. As early as 1873 an attempt was made to secure the passage of a law bringing the railroads under Federal supervision, but in vain.

The
Vicious
Methods
of the
Railroad
People

¹ See p. 547.

Five years later the Reagan Bill was introduced and received serious consideration, but it was killed by the railroad people. Powerful lobbies were now being maintained at Washington, and resort was sometimes had to vicious methods in order to make Congress see things through railroad spectacles. Letters written by C. P. Huntington, president of the Southern Pacific, take us behind the scenes and bring into clear relief the fact that Congress was subjected to the pernicious influence of a railroad lobby. In one of these letters, written in March, 1877, is the following passage: "I stayed in Washington two days to fix up Railroad Committee in the Senate . . . the Committee is just as we want it, which is a very important thing for us." In a letter of November, 1877, he says: "If we are not hurt this season it will be because we pay much money to prevent it." No wonder the Reagan Bill was chloroformed! But petitions continued to pour into Congress for railroad reform. The people of the West and South were in an angry mood and they refused to be put off. Accordingly, in 1885 the Senate, responding to popular pressure, ordered an investigation of the railroad situation to be made.

Following in the wake of this investigation came the Interstate Commerce Act of 1887. This provided for the appointment by the President of an interstate commerce commission consisting of five members. The commission was given power to compel railroad officials to produce their books and testify; to take notice of violations of the law and order the violator to desist from his illegal acts and fine him if he did not; to provide a uniform system of railroad accounting; and to obtain from each road an annual report of its operations and finances. The act creating the commission declared that freight and passenger rates should be just and reasonable; that there should be proper facilities for the inter-course of traffic between connecting lines; that railroads should print and make public their freight and passenger rates; that there should be no pooling of traffic; that the charge for a long haul must not be less than for a shorter haul "under similar circumstances"; that free interstate passes should not be issued; that there should be no discriminations between persons or localities.

President Cleveland had doubts in regard to "government by commission" and he signed the Interstate Commerce Act with considerable reluctance. But as he had given the law his approval, he determined that it should be executed in good faith. As chairman

of the commission he appointed Thomas M. Cooley of Michigan, an eminent jurist with experience in railroad matters. But it was impossible to administer the law so as to bring the relief that was sought, for it was a statute without teeth. It was so full of ambiguities and its language was so indefinite and vague that a member of the House of Representatives was led to assert on the floor while the bill was on its passage that it would take five years to ascertain precisely what the power of the commission was. As a matter of fact it took ten years to determine what those powers were; and when the question was at last settled in 1897 by the Supreme Court it was found that in the all-important matter of charges Congress had not given the commission power to fix rates effectively. With such a feeble law to work with, the commission, do what it might, was unable to achieve any substantial reform. If one evil was cured another cropped out. "By 1890," says Professor Davis R. Dewey, "the practice of cut rates to favored shippers and cities was all but universal at the West; passes were generally issued; rebates were charged up to maintenance by way of account; special privileges of yardage, loading, and cartage were granted; freight was underbilled or carried under a wrong classification; and secret notification of an intended reduction of rates was made to favored shippers; some shippers suffered exasperating and expensive delays in getting cars. The ingenuity of officials in breaking the spirit of the law knew no limit and is a discouraging commentary on the dishonesty which had penetrated into the heart of business enterprise."¹

Although the Interstate Commerce Act of 1887 was halting and timid, and although its results were inconsequential and disappointing, it was nevertheless a notable piece of legislation. It was the first important law passed for the purpose of regulating interstate commerce. From the beginning Congress under the commerce clause of the Constitution possessed complete power over interstate traffic, but for nearly a century it allowed the power to slumber. The act of 1887 was the declaration of a new policy; henceforth the principle of Federal control was to be asserted, and it was to be applied until the control should one day become complete.

¹ Davis R. Dewey, "National Problems"; p. 103.

National statesmen when considering the question of regulating the rates that the railroads should charge could see with half an eye that the wages of railroad employees was also a matter that the Government could not disregard entirely. At the time the Interstate Commerce Act was under discussion the country was seething with discontent, and nowhere were the manifestations of unrest more angry and troublesome than among railroad workers. With a view of providing a method by which controversies between interstate railroad corporations and their employees might be settled in a peaceable manner, a bill was brought into Congress in 1886 to establish a commission of arbitration which should have power to examine into the merits of a controversy and make a report upon the findings. The decision of the commission, however, was to have no binding force whatever. The measure was debated in the House, where it was attacked by conservative members as unconstitutional. Laboring people objected to it because they thought it worthless. And largely on the ground that it was worthless many members voted for it. "I may possibly vote for the bill," said one member, "for the same reason that I would drink a glass of water—it might do me no good, but it certainly could do me no harm. We may safely vote for it; it is a very harmless measure." The bill passed in the House by a vote of 199 to thirty, but in the Senate it was allowed to die.

There could be no doubt that the bill was a timely measure, for arbitration was needed in all parts of the country. In 1886 from the shipyards of Maine to the railways of Texas and the Far West there was turmoil in the ranks of labor—strikes, lockouts, boycotts, rioting. The Knights of Labor, as we have seen, were now at the peak of their power, and they had much to do with the great upheaval. It was they who directed the greatest strike of the year. This was on the Texas & Pacific Railway, where a mechanic who was a prominent Knight was discharged for what the railroad authorities considered a sufficient reason. The Knights took a different view of the matter and demanded the man's reinstatement. When this was refused the workmen struck. The strike spread until it affected six thousand miles of railway belonging to the Gould system and located in Texas, Missouri, Kansas, and Illinois. Grand Master Workman Powderly, the head of the

Knights, was opposed to violence and he strove to keep the strikers within legal bounds. But in this he failed. "The Knights disabled locomotives, pulled pins from the trains, ditched them by displacing rails, broke into roundhouses and machine-shops, opened water-tanks, tore up tracks, and intimidated and assaulted employees willing to work." In some places the strike took the form of riot and incendiarism. In East St. Louis a squad of deputies fired upon a crowd and several persons were killed. The mob, infuriated by this act, applied the torch to railroad property and committed other deeds of violence. Jay Gould and Powderly undertook to submit the dispute to arbitration, but met with no success. After lasting seven weeks the strike finally ended on May 3, 1886, in complete failure.

No sooner had the great railroad strike terminated than labor began to agitate fiercely for a working day of eight hours. In 1884 a convention of the Federation of Organized Trades and Labor Unions—afterward the American Federation of Labor—resolved that after May 1, 1886, eight hours should constitute a legal day's labor throughout the United States. When the appointed day arrived employers quite generally refused to change from the ten-hour to the eight-hour day. As a result there were serious disputes and strikes all over the country. The storm-center of the eight-hour agitation was Chicago. Here, on May 1, 40,000 laborers struck. In the manufacturing districts the seven o'clock whistles were not heard, and the usual hurrying crowds of workmen were not seen. A procession of 10,000 lumbermen, headed by a man carrying a red flag, marched through the streets, halting from time to time to listen to speeches. As a result of the demonstration the business of the city was paralyzed and the utmost confusion prevailed. On May 3 a conflict at the McCormick Reaper Works took place between the police and the strikers. As strike-breakers employed in those works were leaving for their homes they were pelted with stones by friends of the strikers. Police arriving upon the scene were also received with stones. The guardians of the law fired, killing four and wounding many.

Then next evening a mass-meeting was held in Haymarket Square to protest against this "atrocious attack of the police in shooting our fellow-workmen." The meeting was addressed by some anarchistic leaders, although it was not itself an anarchistic gathering. One of the speakers, an Englishman named Samuel Fielden,

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Agitation
for the
Eight-hour
Working
Day

The
Dastardly
Deed of the
Anarchists

denounced all government and shouted, "The law is your enemy, we are rebels against it." When the tenor of Fielden's speech was made known to the police it was decided that the meeting ought to be broken up. Accordingly, 180 policemen marched into the square and when they were within a few steps of the wagon from which Fielden was speaking their captain ordered the crowd to disperse. Fielden got down from the wagon saying, "We are peaceable." At this moment a pistol was fired as if for a signal, and a bomb with a lighted fuse was thrown from a crowd of men standing in an alley directly opposite the wagon. The bomb struck the ground, exploded, and killed and wounded sixty men. The dastardly deed caused a state of panic to come over Chicago, and the whole country was shocked by the affair. Arrests were promptly made, and the trial of the accused persons was watched with nation-wide interest. The man who actually threw the bomb was never caught, but eight were indicted as accessories to the crime. Of these, seven were sentenced to death. Of those thus sentenced, one committed suicide, four were hanged, and two had their sentences commuted to imprisonment for life. At the trial the testimony showed that the bomb-throwing of May 4 was no accidental occurrence but a part of a program of violence advocated by the anarchists for the destruction of the existing order of society. There was no real bond of union between the anarchists and the men striking for the eight-hour day, yet the strikers had to suffer for what was done in Haymarket Square. "The effect of that bomb," said Samuel Gompers, "was that it not only killed the policemen, but it killed our eight-hour movement for that year, and for a few years after, notwithstanding we had absolutely no connection with those people."

"Progress
and
Poverty"

In the year 1886, memorable in the annals of labor, social and industrial unrest led to a historic municipal campaign in New York. The workmen of the metropolis expressed a desire that Henry George might lead them in this campaign. George was the author of "Progress and Poverty," a book that with the exception of "Uncle Tom's Cabin" was more widely read than any volume that had ever been printed in America. In a brilliant and powerful manner George maintained the doctrine that under existing social conditions the rich must necessarily grow richer and the poor must necessarily grow poorer. The cause of this was to be found in the private ownership of land and the natural

resources which are indissolubly connected with land. The remedy proposed was the single tax: "the entire burden of taxation should be levied upon land, irrespective of all improvements upon it, thus confiscating economic rent, freeing industry from taxation, and affording equal opportunity to all men by destroying the unfair advantage which the possession of land gives to monopoly." The justice of the single tax was defended on the ground that the value of land consists chiefly of an enhanced increment created not by the exertions of a landholder but by the progress of society, by the operation of social forces. George, responding to the wishes of the working-men, became their candidate and conducted a campaign which marked one of the most spectacular events in the history of the labor movement in America. He was supported not only by hand-workers but by editors, lawyers, physicians, teachers. His opponent on the Democratic ticket was A. S. Hewitt; on the Republican ticket was Theodore Roosevelt. The vote cast was 90,000 for Hewitt, 68,000 for George, and 60,000 for Roosevelt.

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The
George
Campaign

That such a heavy vote should be cast for such a radical cause made a profound impression upon the public mind. The workers of the country were elated, while business men were gloomy and apprehensive. The effect of the George campaign in New York was immediate and direct. The lawmakers at Albany in 1887 hastened to pass laws creating a board of mediation and arbitration, regulating the employment of women and children, perfecting the mechanic's lien, and amending the penal code by prohibiting employers from coercing employees not to join labor organizations.

Mutterings of the industrial storm of 1886 were heard in Congress, and with the view of securing industrial peace a Federal law was passed in 1888 providing for the settlement of differences between the railroads and their employees; but in a practical way this statute was of little service. As a matter of fact Congress was not yet ready for effective legislation in new fields. It was not ambitious to pass great laws dealing with great problems. In twelve years two notable acts—the Civil Service Law and the Interstate Commerce Law—were the measure of its output.

A GREAT TARIFF BATTLE

In 1887 Congress found itself confronted with an idea that it could neither run away from nor conveniently brush aside. This

The
Trouble-
some Tariff

was the troublesome idea of tariff reform. During the first two years of Cleveland's administration tariff revision made no headway at all. This was partly because the Democrats in the House quarreled among themselves as to the methods of reduction, and partly because the Republican Senate was ready to block any measure that made substantial changes in existing rates. Indeed, it cannot be said that there was a deep-seated, insistent demand for a reduction of rates on the part of the people at large. The tariff question was accordingly allowed to slumber, although the President in his messages never tired of referring to the ruthless extortions of existing duties.

In December, 1887, came a Presidential message on the tariff that awakened not only Congress, but the whole country as well. The document was devoted exclusively to a discussion of the tariff issue and was a ringing denunciation of the "vicious, illegal, and inequitable system of taxation" which was in force. The tariff, the President contended, ought to be revised downward. The immediate occasion for this recommendation was the surplus of income that was piling up in the Treasury. This surplus, as we have seen, was in Arthur's time about \$100,000,000.¹ By the summer of 1888 nearly \$140,000,000, the President estimated, would be heaped up in the vaults of the Treasury, there either to lie idle or to serve as a constant invitation to reckless appropriation. It ought not to lie idle, for the withdrawal of so much money from circulation was disturbing to business. As for useless or extravagant expenditures, these, of course, could not be countenanced. The only remedy, then, for the ever-swelling surplus was to reduce the tariff rates, which were characterized as excessive and unnecessary. At the close of his message the President disclaimed any desire to advocate free trade and expressed the hope that Congress would treat the matter as a purely practical problem. "Our progress," he said, "toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a *condition* which confronts us, not a theory."

The sensation made by the message was profound. In political circles it exploded with the force of a powerful bomb. The explosion, however, produced more consternation among Democrats than among Republicans; for the members of the President's party

¹ See p. 574.

were by no means united on the subject of the tariff. Many a Congressman was a high protectionist where the interests of his own district were concerned, his tariff views resembling those of the Gloucester fisherman who said that on general principles he was for free trade, but he thought there ought to be a duty on herring. Yet the message could not be ignored, even though to practical minds it seemed that the President had committed political suicide. By way of supporting their leader the Democrats closed ranks and carried through the House a bill introduced by Roger Q. Mills of Texas. The bill reduced duties about 7 per cent, but it was plain that in the framing of it the philosophy of the Gloucester fisherman had considerable weight. "Protection of certain industries which flourished in Republican States was sacrificed, while it was left untouched in industries prospering in Democratic States. Duties on iron ore, beginning to be mined on a large scale in Georgia, Alabama, and Tennessee, were preserved; but on the finished products of iron and steel the reductions were large. The duty on rice, a Southern crop, was left practically unchanged; while the duty on starch, a New York industry, subject to Canadian competition, was halved. The grades of sugar produced in Louisiana were subject to but a modest reduction; while on the higher grades in which the South was not so much interested the decrease was greater."¹ The bill, which was passed in the House of Representatives by a party vote, was taken to the Republican Senate, where in good time it died.

Although the Mills Bill fell by the wayside it nevertheless served to crystallize the tariff issue in the campaign of 1888, for it gave the Republicans a peg upon which to hang their opposition. In their platform they declared: "We denounce the Mills Bill as destructive to the general business, the labor, and the farming interests of the country, and we heartily indorse the consistent and patriotic action of the Republican representatives in Congress opposing its passage." The Democrats in their platform indorsed the Mills Bill and stood squarely with the President in his tariff message. "The Democratic party . . . indorses the views expressed by President Cleveland in his last earnest message to Congress . . . upon the question of tariff reduction; and also indorses the efforts of our Democratic representatives in Congress to secure a reduction of excessive taxation."

¹ D. R. Dewey, "National Problems"; p. 67.

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The
Standard-
bearers
in 1888

With the issue thus joined the Democrats had no difficulty in selecting a standard-bearer; when their convention met in St. Louis on June 5 Cleveland was renominated without the formality of a ballot. On the Republican side the choice of a candidate was not so easy to make. Six months before the meeting of the Republican convention everybody expected that Blaine would again be pitted against Cleveland. Early in 1888, however, Blaine in a letter written from Italy, where he was traveling, forbade the use of his name as a candidate. This withdrawal produced confusion in the plans of the party leaders, and when the Republican convention met in Chicago on June 19 the field was open and there were candidates in abundance. The balloting began with Senator John Sherman of Ohio in the lead. Among others whose names were placed in nomination were Walter Q. Gresham of Indiana, Chauncey M. Depew of New York, Russell A. Alger of Michigan, Benjamin Harrison of Indiana, and William B. Allison of Iowa. Sherman held the lead for six ballots but did not greatly increase his vote. On the seventh ballot Harrison, who had all the time been gaining in strength, ran ahead of Sherman and on the eighth won the prize.

The
Greatest
Tariff
Battle in
American
History

In the contest of 1888 the personalities of the candidates did not become an issue as in 1884. Consequently there was very little mud-slinging. The overshadowing subject was the tariff, and never before in all our history did that subject figure so conspicuously in a Presidential campaign. The contention of the Republicans was that the American system of protection must be maintained, and they labored in almost desperate fashion to convince the voters that if the Democrats won the system would be destroyed. Manufacturing interests were alarmed by the cry of "British free trade." A spectacular feature of the campaign was the organization of thousands of political clubs. Of these the Republicans had more than 6000 while the Democrats had about 3000. Through the clubs a "campaign of education" was conducted; tons of pamphlets were circulated, and voters were given partisan instruction on the questions at issue. But the managers of the campaign did not rely upon "education" alone. Regarding money as the "sinews of war," they provided themselves with the largest campaign funds that up to that time had ever been raised. The Democrats relied chiefly upon assessments on office-holders, while the Republicans "put the manufacturers under the fire and fried



FREE TRADE AND PROTECTION.

ALAS! MY CHILDREN I CANNOT GIVE YOU BREAD
FREE TRADE HAS RUINED MY OCCUPATION I
HAVE NO WORK AND WE MUST BIG ON STARVE!

"HERE WIFE IS PROVISIONS FOR A WEEK AND MONEY
TO PUT IN BANK. THANKS TO A PROTECTIVE TARIFF
I HAVE PLENTY OF WORK AND GOOD WAGES."

A CARTOON OF 1888

the fat out of them." The contributions which flowed into the campaign treasuries were spent like water. More was spent by the Republicans because they had more. In Indiana there was an *extra* outlay of "the needful." A letter said to have been written by W. W. Dudley, treasurer of the national Republican committee, read as follows: "Divide the floaters [the purchasable voters] into blocks of five, and put a trusted man with the necessary funds in charge of these five, and make him responsible that none get away, and that all vote our ticket." The mandate seems to have been obeyed. "In one place on the night before the election more than a hundred of the floaters were collected in various buildings, with sentries to guard them against surprise by the foe. Wagonloads of them were taken into the surrounding country ready to be rushed to the polls at sunrise before they could fall into the hands of the enemy. In this particular market the price of votes had risen since 1880 from \$2 to about \$15."¹

The vote was unusually heavy. More than eleven million ballots were cast; and the contest was unusually close. Harrison was elected, yet a change of 10,000 votes in Indiana and New York, both of which were carried by the Republicans, would have reelected Cleveland. Harrison received 233 electoral votes against Cleveland's 168. The popular vote was 5,439,853 for Harrison and 5,540,329 for Cleveland. Cleveland therefore received about 100,000 more votes than Harrison. In the congressional elections the Republicans were victorious. We may say, accordingly, that protection won the day. "On the whole," says F. W. Taussig, "the Republicans held their own and even made gains throughout the country on the tariff issue; and they might fairly consider the result a popular verdict in favor of the system of protection."

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Protection
Wins a
Victory

Suggested Readings

- Industry and *laissez-faire*: Lingley, pp. 242-259.
- The changing order: Haworth, pp. 146-163.
- Mugwump campaign: Stanwood, Vol. I, pp. 419-449.
- Return of democracy: Haworth, pp. 164-183.
- Rise of the wage-earner: Lingley, pp. 303-325.
- The great upheaval in the labor world: Commons, Vol. II, pp. 356-395.
- Large-scale production: Van Metre, pp. 415-441.
- The combination movement: Lippincott, pp. 469-490.

¹ E. B. Andrews, "The History of the United States in Our Own Time"; p. 588.

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THE NEW WEST; THE TARIFF AND THE TRUSTS

IN the campaign of 1888 the Republicans had promised that if their candidate should be elected the people would be protected against the schemes of the giant corporations. They had also promised to hasten the admission of several Territories in the Far West that were seeking to become States. The election, furthermore, was construed by the victors as a mandate for perfecting the system of protection. It was to be expected, therefore, that the Harrison administration would deal with problems connected with the development of the Far West, with the revision of the tariff, and with the control of "big business."

THE SECOND HARRISON

Benjamin
Harrison

The man who entered the White House on March 4, 1889, to succeed President Cleveland was descended from Governor Benjamin Harrison of Virginia, a signer of the Declaration of Independence, and was the grandson of President William Henry Harrison. He was born in 1833 at North Bend, Ohio. Having been graduated at Miami University, he studied law in Cincinnati and was admitted to the bar. In 1854 he opened a law office in Indianapolis and that city became his permanent home. Answering Lincoln's call for volunteers, he entered the army as a lieutenant, but in less than a week he was made a captain, and in less than a month he was a colonel. Before the war ended he was holding the rank of brigadier-general. In 1881 he entered the United States Senate, where he remained until 1887. He was an accomplished lawyer and an excellent public speaker. He was lacking, however, in personal affability. It was said of him that if he should address an audience of ten thousand men he would capture them all, but that if each one of the ten thousand should meet him in private every man of them would go away an enemy. Sherman, the principal opponent of Harrison for the nomination,

was called "the hyperborean icicle." "Sherman," said a delegate, "won't do; he is too cold." "Why," replied a supporter of the Ohio man, "he is a red-hot stove compared to Harrison." The repellent principle in the new President was indeed so active that he sometimes managed to confer a favor in such an ungracious manner that the recipient felt an injury had been inflicted.

For his cabinet President Harrison selected Blaine as secretary of state; William Windom of Minnesota as secretary of the treasury; Redfield Proctor of Vermont as secretary of war; John W. Noble of Missouri as secretary of the interior; W. H. H. Miller of Indiana as attorney-general; Benjamin F. Tracy of New York as secretary of the navy; John Wanamaker of Pennsylvania as postmaster-general; and J. M. Rusk of Wisconsin as secretary of agriculture. The selection of Blaine as the premier of the administration was accepted by the public as a compliance with well-established precedent. He had been the secretary of state under Garfield; he had used his influence to secure the nomination of Harrison; and he had worked with all his might for the success of the Republican ticket in 1888. Inasmuch as he was easily the outstanding figure of his party, the President virtually had no choice in the matter; he must offer the portfolio of state to Blaine. With the exception of the secretary of state, the members of this cabinet were men who in the public eye occupied a position only a little higher than that of "respectable mediocrity."

Harrison's
Cabinet

The new administration at the outset was vexed, of course, by the question of patronage. Should the public offices be converted into party barracks? What Republican workers should be rewarded with "plums"? What should be done with Democratic incumbents? The attitude of the President toward the merit system was made known in his inaugural address: "Heads of departments . . . will be expected to enforce the Civil Service Law fully and without evasion. Beyond this obvious duty I hope to do something more to advance the reform of the civil service. The ideal, or even my own ideal, I shall probably not attain." Office-seekers, however, were not wholly discouraged, for in the address were the significant words: "Honorable party service will certainly not be esteemed by me a disqualification for public office. . . . It is entirely creditable to seek public office by proper methods and with proper motives; and all applicants will be treated with consideration." This was construed by place-hunters as an invi-

A Question
of "Plums"

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tation for a scramble. The President held firm for the Civil Service Law as it stood on the books, but outside of the range of the classified service removals were made on a scale that amounted virtually to a clean sweep. With the appointment of J. S. Clarkson as first assistant postmaster-general the decapitation of Democratic fourth-class postmasters began, and the ax swung so vigorously that within a few months a New York paper exclaimed: "Fifteen thousand fourth-class postmasters have been removed to date and Mr. Clarkson remains in Washington with his coat off and his shirt sleeves rolled up. Go it, Clarkson! Out with the whole 55,000 by January 1st." In a single year the heads of thirty thousand officials fell into the basket.

Nepotism;
"Bridling
the Press"

In the distribution of the patronage the President was friendly enough to the suggestions of spoilsmen like Mathew Quay of Pennsylvania and "Boss" Platt of New York.¹ Nor did he disdain to practise nepotism or to subsidize the press. "President Harrison," says H. T. Peck, "looked very carefully after the interests of his own relatives. Offices were given by him to his father-in-law, to his son's father-in-law, to his daughter's brother-in-law, to his own brother, and to several of his son's college chums. He also brought upon himself much criticism by bestowing important places on the editors of newspapers which had supported him in the late campaign. Mr. Whitelaw Reid of the New York 'Tribune' received the mission to France. Mr. Thorndike Rice, editor of 'The North American Review', . . . was made Minister to Russia. Mr. Enander, a Chicago editor, became Minister to Denmark. One J. S. Clarkson, editor of the 'Iowa State Register,' was allowed to distribute the fourth-class postmasterships. The editor of the 'Utica Herald' became Assistant United States Treasurer at New York. Mr. Robert P. Porter of the New York 'Press' was appointed head of the Census Bureau."

Roosevelt
and Civil
Service
Reform

But the surrender to considerations of party expediency was not complete. In spite of the politicians the President kept his promise and administered the Civil Service Law in a way that resulted in advancing the cause of civil service reform. He appointed Theodore Roosevelt a member of the civil service commission, and the rising young statesman brought to the office an aggressiveness and a decisiveness of action that disturbed and alarmed the practical politicians. He believed thoroughly in the

¹ See p. 573.

merit system, contending that it was the system of “fair play, of common sense, and common honesty.” He recognized, however, that the old patronage system was deeply imbedded in the habits and thoughts of the people. “At Washington,” he said in 1889, “we still have to face the active and envenomed hostility of an immense mass of politicians. We have not only to make every advance in the teeth of the fiercest opposition, but we have to fight every hour to keep the ground that we have gained.” In order to build up sentiment for the reform, he went among the people and made speeches to convince them of the soundness of the merit system. He remained at his post throughout the Harrison administration and by the end of the term it could be seen that the reform had made a “prodigious advance both in public opinion and practical application.” Not only was the classified service extended and the tenure of employees made more certain, but the evil of levying assessments upon the salaries of office-holders was growing less flagrant. “The system of party assessments in the civil service,” said George William Curtis in 1891, “and the kindred evil of the interference of office holders in elections, are now so effectively stigmatized by public opinion that although not abandoned, they have become disgraceful.”

“A SPIRITED FOREIGN POLICY”

More serious than questions of patronage, although less vexatious perhaps, were the foreign complications. These were more numerous and more perplexing in the Harrison administration than they had been since the days of President Grant. But they were not too numerous or too perplexing for the new secretary of state; for Blaine desired that his department should hold a conspicuous place on the arena of international affairs. Indeed he was so infatuated with the idea of “a spirited foreign policy” that his enthusiasm at times carried him almost if not quite to the point of jingoism.

The first question with which the ambitious secretary had to deal was a legacy inherited from the previous administration and had to do with the establishment of a proper government for the distant Samoan Islands where in the harbor of Pago-Pago on the island of Tutuila the United States had secured a coaling-station. Germany and Great Britain also had obtained grants in these

American
Expansion
in the
Pacific

islands. During Cleveland's administration clashing commercial interests and intrigues and jealousies among the natives led to quarrels in which the three nations were involved. In order to arrange for the peaceful government of the islands Secretary Bayard in 1887 invited England and Germany to unite in a conference with the United States. The conference was held but no decision was reached. Things on the island went from bad to worse until January, 1889, when the American flag in Apia was seized by armed Germans. American and German war vessels appeared upon the scene and a naval battle seemed inevitable. But before any blows were struck a terrible hurricane on March 16 destroyed every vessel in the harbor except one. The awful disaster had the effect of relieving the tension and dispelling all thoughts of war. Another conference of the three powers was called in April, 1889, holding its sessions in Berlin. The German chancellor, Bismarck, insisted on the predominance of Germany in the islands. During the negotiations he displayed much bad temper and assumed a bearing that seemed full of menace. The Americans cabled to Blaine informing him that Bismarck was very irritable. The secretary gave a taste of his quality by flashing back: "The extent of the chancellor's irritability is not the measure of American rights." The British took sides with the Americans, with the result that a treaty was entered into whereby there was established over the islands a protectorate in which the three powers were to participate. This arrangement stood until 1899 when Great Britain withdrew entirely from Samoan affairs; the United States received Tutuila clear of encumbrance, and Germany took the rest of the group. The Samoan incident in itself was an affair of no very great importance, yet the setting up of the protectorate marked the beginning of American expansion among the far-off islands of the Pacific.

Another inheritance handed down to Blaine from the Cleveland administration was a dispute with Great Britain over seal fisheries in Alaskan waters. Shortly after acquiring Alaska Congress passed stringent laws against the killing of fur-bearing animals on Alaskan soil or in the waters adjacent thereto. In 1870 the Government leased to the Alaskan Commercial Co. the privilege of taking fur seals in the Pribyloff Islands under regulations designed to protect seal life. But this protection was not easy to give. Poaching was frequent and reckless. Canadians and Rus-

sians would pursue the animals in the open sea, killing males and females, in utter disregard of the preservation and nurture of the young, and carrying the slaughter so far that the total extinction of the species was threatened. In 1886 our Government, declaring that the whole Bering Sea belonged to the United States, caused the seizure of three British schooners that were fishing in the forbidden waters. This offended the British Government, which claimed the right to hunt seals in waters outside the three-mile limit from the shore. Diplomatic correspondence in regard to the matter was begun but without definite results. At the threshold of the Harrison administration Congress took the subject in hand and boldly declared that the prohibition of killing seals within the limits of Alaskan territory should apply “to all the dominions of the United States in the waters of the Bering Sea.” This declaration of Congress and further seizures of British vessels led to a controversy between Secretary Blaine and Lord Salisbury which was so heated that at times there were fears of a breach between Great Britain and the United States. After much fruitless argument and after many charges and countercharges had been made, arbitration was finally agreed upon. The decisions rendered by the board of arbitration were uniformly against the United States. The gist of the decisions was that our jurisdiction in the Bering Sea did not extend beyond the three-mile limit and that therefore the United States had no right of protection or property in seals outside that limit.

While Secretary Blaine was wrangling with Lord Salisbury he was busy enough in other directions. Early in 1891 he was confronted by a breach in friendly relations between Italy and the United States. The occasion of the rupture was the killing of Italian subjects by a mob in New Orleans. The men killed were members of the Mafia, a secret organization made up largely of murderers and cut-throats, whose very existence was a source of danger to any community that might shelter them. In March, 1891, a band of these criminals, who for a long time had been extorting money from citizens in New Orleans and terrorizing the city in various ways, fell upon and foully murdered the chief of police. Twenty-two Italians were arrested. When it seemed that no convictions would follow, a mob was organized and the prisoners were taken from jail and lynched. Italy at once demanded that the mob should be punished and that an indemnity should

The Mafia
in New
Orleans

be paid. Blaine answered that his Government had no local jurisdiction in Louisiana but that he would give the affair the most serious consideration. The Italian minister at Washington then intimated that he would leave the country if the American Government did not take immediate action. Blaine replied: "I do not recognize the right of any government to tell the United States what to do. We have never received orders from any foreign power and shall not begin now." Thereupon the Italian minister at once took passage for Italy. The American minister at Rome was withdrawn, and the diplomatic negotiations between the two countries had to be carried on by subordinates. But amicable relations were soon restored. Congress as an act of grace voted \$25,000 to be distributed among the families of the men who had been killed. The Italian Government accepted the payment, and the incident was closed. The episode revealed with great clearness a defect in our governmental system: it showed that owing to the relations which exist between the Federal Government and the States serious complications with foreign powers may arise with which the National Government will be helpless to deal because of its limited authority under the Constitution.

The Italian imbroglio contained elements of danger that caused apprehension, but at the time of its occurrence there existed in Chile a situation that was even more disquieting. In January, 1890, a civil war broke out there, the contestants being a congressional party and the adherents of Manuel Balmaceda, the president of the republic. The congressionalists set up a government of their own, but since it was our policy to give no encouragement to such revolts, Blaine continued to recognize Balmaceda as the lawful president. This did little harm to the congressionalists, for it happened that Blaine was hated by all classes of Chileans because they felt they had been treated unfairly by him in 1882 when he was secretary of state under Garfield. The congressionalists charged that the action of the American Government was due to an unfriendly spirit, and the attitude which they assumed toward the United States was highly offensive. The relations were further strained by the *Itata* incident. This vessel, chartered by the congressional party, set out from San Diego, California, with a supply of guns and ammunition for the use of the revolutionists. An American cruiser was despatched in pursuit. A naval encounter was expected, but the congressionalists, regarding discretion as the

better part of valor, surrendered the vessel with its military supplies to the naval authorities of the United States. It was afterward decided by a Federal district court that the seizure of the *Itata* was unwarranted. In their contest with Balmaceda the revolutionists were successful; they captured Santiago and established a government which in September, 1891, was recognized by the United States.

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But there was more trouble ahead. Resentment in Chile against the United States was very strong, and it manifested itself in many ways. In October an assault was made in the streets of Valparaiso on some American sailors from the war-ship *Baltimore*. One American was killed and eighteen injured. President Harrison demanded redress and in his annual message to Congress referred to the matter in language that was displeasing to Señor Matta, the Chilean minister of foreign affairs. Matta communicated with the foreign representatives of the Chilean Government, declaring that what Harrison said in his message was erroneous or deliberately incorrect and that there was no exactness or sincerity in official utterances at Washington. This insult to our President was taken by the American people as an insult to themselves, and popular indignation was intense. The administration prepared for war and presented to the Chilean Government an ultimatum demanding that Matta's communication should be withdrawn and an apology offered, and that an indemnity should be paid for the outrage on the American sailors. The ultimatum did its work: the apology was offered and an adequate sum was paid to the injured sailors.

An Insult
and an
Apology

THE NEW WEST

The embroilments of the Harrison administration created much excitement, but only the surface of American life was agitated. Of deeper significance than the fulminations of the State Department against foreign governments were the Presidential proclamations that announced the admission of new States. It fell to the lot of Harrison to admit a greater number of these than were ever admitted during the administration of any other President.

Seven New
States

The new sisters were the development of a new West that had just arisen out of a wilderness. The raw territories of the sixties¹ were assuming the character of well-ordered, populous common-

¹ See p. 539.

wealths and were fit candidates for statehood. In 1889 the Territory of Dakota ¹ was divided and organized into two States, North Dakota and South Dakota, which came into the Union on the same day. In less than a week afterward Montana was admitted, and three days after the admission of Montana the Territory of Washington became a State. In 1890 Idaho and Wyoming were admitted. Utah by this time had a population sufficient for statehood, and she asked for admission. But this could not be granted as long as the Mormons recognized the custom of polygamy. As early as 1882 Congress had begun by means of stringent legislation to wage war upon polygamy. At first the Mormons were not disposed to abandon what they regarded as a religious custom, but gradually they submitted to the Federal power. In 1894 Utah was given permission to frame a constitution and two years later she came into the Union.

The building up of this New West was the biggest thing in the history of the American nation in the eighties. The development was due to the transcontinental railways, the story of whose construction has already been told.² Seven years after the completion of the Northern Pacific another belt of States stretched from the Atlantic to the Pacific. Nothing in the later history of the westward movement is more remarkable than the rapid growth of this new Northwest. Men still living can tell of the time when they traveled through this region on horseback for days and did not see a single human being. With the coming of the railroad the wilderness vanished like the mist before the sun. Communities grew so rapidly that some counties with scarcely an inhabitant at the beginning of the summer were well populated at the end of the year. "In the Dakotas a young man of college age in 1890 might have remembered almost the entire significant portion of the history of his State and have been one of the oldest inhabitants." In two decades before 1880 Washington added only about 50,000 to its population, but when the railroad came to develop its natural resources, its forests and mines and grazing lands, it began to grow at an amazing rate, the number of its inhabitants jumping from 75,000 in 1880 to more than 350,000 in 1890. Tacoma, Spokane, and Seattle, mere villages in 1880, by 1890 were flourishing cities. What was taking place in the New Northwest

¹ See p. 537.² See p. 577.



Twenty Years of Railroad Development

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XXXThe Union
Pacific and
the Central
West

in the eighties is indicated by the census returns which show that the combined population of the Dakotas, Montana, Idaho, and Washington increased fourfold between 1880 and 1890.

Miracles of progress had also been wrought in the broad and illimitable stretches of the Central West. By 1890 the "Great American Desert" had been so far transformed that it was now the abode of civilized man. Buffaloes no longer roamed over the plains blocking the movements of emigrant parties¹ or delaying trains by standing on the tracks. About 1870 the easy slaughter of these sluggish beasts was begun with the view of their extermination, and within a decade all the great herds were gone. Roaming bands of warring Indians too were gone, for without the buffalo to give them food and clothing and bowstrings and skins for their tents they found it difficult to sustain themselves. These changes in the Central West, as we have already seen,² began with the building of the Union Pacific Railroad. By 1890 the transformation of the country traversed by this pioneer road and its branches was surprising in its completeness. The Indian-infested Nebraska had suddenly become a great grain-growing State with highly organized social and political institutions, with a public school system, and with a population of more than a million souls. Omaha had a population of nearly 70,000. Colorado,³ no longer a mere community of mining-camps, was developing a profitable agriculture and was boasting of a population that was approaching the half-million mark. Denver, a little place of 20,000 at the time the railroad came, was by 1890 a city of more than 100,000. Wyoming and Utah also responded to the influence of the Union Pacific, the former increasing its population sixfold between 1870 and 1890. Salt Lake City was now a place of nearly 50,000.

The
Santa Fé
and the
Southwest

By this time too a new Southwest had emerged. While the Union Pacific was opening up the Central West and the Northern Pacific the new Northwest, another great line, the Atchison, Topeka & Santa Fé, was extending civilization into the unoccupied regions of western Texas, Arizona, New Mexico, and the present Oklahoma. From the main line of the Santa Fé connecting roads were built southward, and these hastened the growth of northern

¹ See p. 353.² See p. 540.³ See p. 541.

and western Texas. The immense vacant areas of the Lone Star State began to fill up with people. The area of farming land in Texas increased between 1870 and 1890 to an amount roughly equivalent to the combined areas of New Hampshire, Vermont, and Massachusetts. Towns and cities began to appear. San Antonio, Fort Worth, and Dallas soon became important inland centers of trade, while Galveston and Houston took their places among the great exporting cities of the United States.

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But the marvel of growth in this new Southwest was Oklahoma. For the railroad entered the Indian Territory,¹ and with it came the pale-face seeking land in the red man's country. In 1889 more than 5,000,000 acres of Indian lands in the so-called Indian Territory were purchased by Congress for the sum of about \$4,000,000. President Harrison at once by proclamation threw open to settlement the tract known as the Cherokee Strip. A horde of eager pioneers was already on the border waiting for the signal which was to indicate when it should be lawful to enter the newly opened lands. The signal was given by the blast of a bugle at noon on April 22, and the rush that began was one of the wildest in the whole history of the westward movement. In some cases men jumped from the windows of rapidly moving trains and scampered across the country in order to be the first to reach some desirable tract and make good their claims. "Men on horseback and afoot, in every conceivable vehicle, sought homes with the utmost speed and before nightfall townsites were laid out for several thousand inhabitants each. At noon on the eventful day Guthrie was non-existent; at nightfall it was a city of 10,000 and was taking steps to organize as a municipality." By December 60,000 persons had settled in Oklahoma, as the newly settled district was called. The next year Oklahoma—the Beautiful Land—was erected into a Territory.

Oklahoma

While the white man was spreading his power over the West in this rapid manner, the red man was all the time having the lines drawn tighter and tighter about him. For many years after the Civil War the Indians gave fight to the encroaching enemy, and many a time the Far West was ablaze with war. In these engagements scores of officers and hundreds of men lost their lives. Although the Indians were not always blameless, too often the fault lay at the white man's door. "The Indians," said President

Drawing
the Lines
Around the
Indian

¹ See p. 304.

Hayes in 1877, "have been driven from place to place. In many instances, when they settled down in lands assigned to them by compact and began to support themselves by their own labor, they were rudely jostled off and thrust into the wilderness again. Many, if not most, of our Indian wars have had their origin in broken promises and acts of injustice on our part."

But the pushing back of the Indian could not go on indefinitely, for there was no longer a wilderness into which he could be driven. "The Indian," said Secretary Lamar in 1885, "must make his final stand for existence where he is now." By the end of the eighties it was plain that if the Indian question was not taken up and dealt with firmly the aborigines might suffer extermination. To meet the problem Congress in 1887 passed the Dawes Bill, which provided that the President might divide the reserves among the Indians located on them, allotting 160 acres to each head of a family, eighty acres to single adults and orphans, and forty acres to each dependent child. Where allotments were thus made in severalty tribal ownership was to cease and the title to each farm was to rest in the individual Indian. Moreover, under this law the Indian was admitted to citizenship. More than 150,000 Indians, taking advantage of the Dawes Bill, became land-owners and American citizens. But the tribal Indians left on the reservations were not forgotten. During the administrations of Cleveland and Harrison Congress began to make liberal appropriations for the education of Indian youths on the reservations, and it provided agencies for protecting the Indians against the injustice and rapacity of the white man. The liberal policy adopted in those days has never been abandoned. For more than thirty years the American Indian has been an especial object of the white man's care.

POLITICS AND LEGISLATION

In Washington throughout the Harrison administration it was politics, politics, politics. Nobody sneezed unless in reference to party expediency. The men in power left no stone unturned to make things safe for the Republican party, while the Democrats, equally alert to the situation, played the political game for all it was worth.

The first matter attended to by the Republicans in Congress was to make sure that they should not be cheated out of any party

advantage that rightfully belonged to them in the House of Representatives. For the first time since the "tidal wave" of 1874 they had a President and a clear majority in both houses. But their House majority was slender and could be nullified by sharp parliamentary practice and by filibustering. Accordingly, led by their speaker, Thomas B. Reed of Maine, the Republicans set out to break down practices in which both parties had been accustomed to indulge. Early in the session when a vote was taken on a contested seat which by the decision of a committee had been accorded to a Republican, the Republicans could not muster the majority necessary for a constitutional quorum. By remaining silent and refusing to vote when the roll was called the Democrats had been able to defeat the seating of the member. But Speaker Reed, taking the bull by the horns, directed the clerk to record the Democrats, calling them by name, as being present. Since a count of this kind would result in a quorum and enable the Republicans to seat their man, the action of the speaker created consternation in the ranks of the opposition. "I deny your right, Mr. Speaker, to count me," said a Democrat, citing a rule to support his contention. Reed calmly replied with characteristic drawl: "The chair is making a statement of fact that the gentleman from Kentucky is present. Does he deny it?" Precedent was against the speaker, but common sense was on his side. He persisted in making rulings that set aside precedent but expedited legislation. In the end he triumphed, for the House adopted two rules by which the speaker was given power: (1) to refuse to entertain dilatory motions; and (2) to count members present when determining the matter of a quorum. The Democrats raged and denounced Reed as a "czar," but a few years later when they returned to power they did not hesitate to avail themselves of the rules which the "czar" had forced upon them.

The adoption of the Reed rules cleared the decks for effective action by the Republicans. The first thing taken up was the surplus. This consisted of nearly \$100,000,000 bequeathed by Cleveland to the Harrison administration. The legacy did not prove to be a troublesome one, for statesmen find a surplus vastly easier to handle than a deficit. Adopting the policy that the best way to get rid of superfluous money is to spend it, the Republicans went about their task in a cheerful mood. In their platform of 1888 they demanded liberal pensions for the soldiers who had

fought in the Civil War, and during the canvass they had been heartily supported by the Grand Army of the Republic. Here was an opportunity to tap the surplus. With little difficulty the Dependent Pensions Bill was passed in June, 1890. Soldiers who had served ninety days on the Union side during the Civil War were granted a pension of from six to twelve dollars a month, according "to the degree of inability to earn a support." Under this law pensions, for the first time, were granted to disabled ex-soldiers even though the disability was not due to military service. The widows, children, and dependent parents of ex-soldiers were also entitled to pensions. The act was the most sweeping of all the pension acts that had been passed, and it set an example for future pension legislation that was to cost more money than had been spent for the Civil War itself. Under this law the number of pensioners increased from less than 500,000 in 1889 to nearly 1,000,000 in 1893, while the annual sum expended shot up from \$89,000,000 to \$157,000,000.

Expenditures for the navy also mounted, going from \$17,000,000 in 1889 to \$30,000,000 in 1893. The expenditure of Harrison's first Congress exceeded that of any previous Congress by \$170,000,000, and amounted altogether to about \$1,000,000,000. Hence this Congress—the Fifty-first—came to be known as the Billion-dollar Congress. When somebody called it by this name in the presence of Speaker Reed he replied: "Yes, but this is a billion-dollar country."

While the pension bill was under way the Republicans in Congress were planning to strengthen their political fences in the South. The negro vote in the Southern States had by this time been reduced to an almost negligible factor owing to the unfair and intimidating methods adopted by the whites to keep the blacks from the polls. This suppression of the negro vote seemed to Republican leaders to be a wrong to their party as well as an injustice to the black man. They were therefore determined that negroes should be given an opportunity to cast their ballots. That the ballots would be cast for Republican candidates was not to be doubted. Negroes had remained true to the Republican party, but the party had not remained true to them. The measure brought forward to resuscitate the rights of the blacks was the Federal Elections Bill, generally known as the Force Bill. It was introduced in the House in June, 1890, by Henry Cabot Lodge, "as a

national bill intended to guard Congressional elections in every part of the country." But in reality it was a sectional bill aimed directly at the South, as Lodge himself virtually admitted. "It is believed by a very large portion of the American people," he said, "that there are districts in the South where fraud in some form controls despotically the verdict of the ballot-box. . . . We have clothed the negroes with the attributes of American citizenship. We have put in their hands the emblems of American sovereignty. Whether wisely or unwisely done is of no consequence now; it has been done and it is irrevocable. The Government which made the black man a citizen of the United States is bound to protect him in his rights as a citizen of the United States and it is a cowardly Government if it does not do it." These words carried terror to the hearts of Southern Democrats, for the bill which Lodge was advocating provided for a close and effective Federal supervision of elections; and that, to the Southern mind, meant the return of negro domination. The bill encountered a storm of opposition and precipitated the bitterest fight that Congress had known for many a year. By a rigid application of party discipline and of Reed's rules the measure passed the House, but in the Senate after a long and acrimonious debate it was sidetracked and lost. While its failure was due chiefly to political causes, subtle economic causes also worked for its defeat. "I shall vote," said Don Cameron, a Republican senator from Pennsylvania, "against the Federal Election Bill. . . . The South is now resuming a quiet condition. Northern capital has been flowing into the South in great quantities, manufacturing establishments have been created and are now in full operation, and a community of commercial interests is fast obliterating sectional lines, and will result, in the not far distant future, in forming one homogeneous mass of people, whether living in the North, South, East, or West. The election law would distort this desirable condition and produce ill-feeling between the North and South."

The Democrats in the Senate would have been unable to block the passage of the Force Bill had they not received assistance from the Republican side. This was given by silver Republicans who helped to set aside the election bill with the expectation of securing Democratic votes for legislation favorable to the white metal. The silver question was now looming larger than ever before. It had arisen under the previous administration, but was

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The Silver
Question
Looms
Large

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A Law
Which
Pleased
Nobody
and Settled
Nothing

smothered because President Cleveland was firm in his stand against silver. Under Harrison, however, the hopes of the silver men revived. The Republicans in their platform in 1888 declared in favor of the use of both gold and silver as money, and condemned the efforts made by the Democratic administration to injure silver. The silver people therefore felt that the Republican party was a silver party. Moreover, they were encouraged by the fact that nearly all the senators from the newly admitted States were friends of the white metal. Then, too, the popular sentiment in the South and Middle West was becoming more and more insistent in its demands for the free coinage of silver.¹

Under these propitious circumstances the silver men in Congress took up the fight for the restoration of free coinage. In the Senate they were successful, for in that body a free coinage bill was passed on June 17, 1890, by a vote of twenty-eight Democrats and fifteen Republicans, against three Democrats and twenty-one Republicans. In the House, however, the friends of free coinage encountered the powerful and determined opposition of Speaker Reed, and the bill was voted down. But this did not end the struggle. The value of silver was declining, and the people of the West were clamoring for more money. Congress, said the silver men, must come to the rescue by "doing something for silver," so that the mine owner might prosper and the people have currency sufficient for the transaction of business. The fight was kept up until finally a compromise measure was reached, and the so-called Sherman Silver Act was passed on July 14, 1890. This repealed the Bland-Allison Act² and directed the secretary of the treasury to purchase 4,500,000 ounces of silver bullion a month and issue in payment therefor United States Treasury notes. The notes were to be legal tender for debts, and redeemable in gold or silver at the discretion of the secretary of the treasury. In the act it was declared that the "established policy of the United States is to maintain the two metals on a parity with each other upon the present legal ratio [sixteen to one] or such ratio as may be provided by law." The act did not go far enough for the silver men and it went too far for their opponents. It was a makeshift measure designed to prevent a split in the Republican party. "Unless we come to an agreement with the silver men," wrote

¹ See p. 554.

² See p. 570.

Senator Orville Platt, "a free coinage bill will be passed by both houses by a decided majority. It would probably be vetoed by the President. The tendency of such action would be to break up the Republican party, and worse than that to array the West and Southwest against the East. We cannot afford this split if it can be avoided." In the interest of party harmony, therefore, the Republicans of the East voted for the law, which pleased nobody and settled nothing.

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There was another reason why Eastern Republicans were willing to compromise on the silver question: they needed the votes of the silver Republicans for a tariff bill which they had under way. The Western Republican senators, caring little for the tariff and much for silver, said to their Eastern associates, "Do something for silver and we will help you on the tariff." The measure which the Republicans wished to carry through was the famous McKinley Bill, named for William McKinley of Ohio, the chairman of the Ways and Means Committee, and the most aggressive champion of the protective system in public life. The proposed law raised the duties on a great number of articles and placed duties on many articles that had been on the free list. To help in reducing the surplus, some commodities were so heavily taxed that they could not possibly be imported with profit and could not therefore yield any revenue. The duty on sugar was reduced from two cents to half a cent a pound. The revenue from sugar amounted to many millions of dollars and contributed largely to the swelling of the surplus; hence the reduction on this article. A compensation, however, was accorded to domestic producers of sugar by granting them a *bounty* of two cents a pound, a policy which called for annual payments of about ten million dollars. Sugar therefore provided two convenient spigots for drawing off the embarrassing surplus. The rates were especially high on articles of every-day use, on cotton and woolen goods, on iron and steel, cutlery, and glassware. In order to conciliate the farmers, duties were placed on such agricultural products as cereals, potatoes, and flax. The bill recognized the principle of *reciprocity* by authorizing the President to levy duties by proclamation on sugar, molasses, tea, coffee, and hides coming from a country which in his judgment levied unjust or unreasonable duties on American commodities. The reciprocity feature was introduced in the hope that the principle might be applied in our dealings with the countries of South

The
McKinley
Tariff

America. Able lawyers opposed the reciprocity provision on the ground that Congress could not delegate the taxing power to the President. The friends of reciprocity, however, contended that under the act the President was not given legislative power, but simply the right to determine when legislation should go into effect. Regarded as a whole, the bill was a radical extension of the protective principle. It raised the general level of duties from 38 per cent to approximately 50 per cent. Its framers hoped that it would stimulate foreign trade, but Secretary Blaine had no illusions of that kind. "There is not," he said, "a section or a line in the entire bill that will open the market for another bushel of wheat or another barrel of pork." The Democrats charged that the proposed rates would raise prices, but the friends of protection were not afraid of high prices. Said McKinley: "I do not prize the word cheap. It is not a word of hope; it is not a word of cheer; it is not a word of inspiration. It is the badge of poverty; it is the signal of distress. . . . Cheap merchandise means cheap men, and cheap men mean a cheap country." Democrats fought the bill tooth and nail, and there was opposition also in the Republican ranks, but party discipline and the Reed rules prevailed. Every Republican but one was whipped into line, and after five months of debate the McKinley Tariff became a law in October, 1890.

The Onward
March of
the Trusts

While the McKinley Bill was threading its way through Congress the celebrated Anti-trust Act was passed. This was designed to check the onward march of the industrial giants described in the last chapter.¹ These were increasing in number all the time and were acquiring the strength of economic monsters. The extent to which they were monopolizing business in 1890 is told by a writer in "The Contemporary Review" in the following graphic fashion:

The American must deal with Trusts all through life. If he is a native of New York State a Trust will nurture him with milk. . . . When he goes to school his slate is furnished by another Trust, which has raised the price of slates 30 per cent. If the American boy wants a lead pencil he must apply to a Trust, which charges Americans one-and-a-third more for pencils than it asks from foreigners. The American boy's candy is indirectly affected by the Sugar Trust, and his peanuts are doled out to him through

¹ See pp. 593-599.

the medium of the peanut combination. . . . The American may continue his progress through life, using "trusted" envelopes, wearing "trusted" overshoes, drinking "trusted" whiskey, warming himself at "trusted" stoves and patronizing other Trusts, which control indispensable commodities. . . . Even death does not free the American from Trusts. They pursue him to the grave. There is a coffin-makers' ring in New York which has raised prices to the Trust standard. There is also a Trust in marble, which has increased the price of tombstones. Thus the American citizen who is surrounded on all sides with accommodating Trusts through life, may be buried in a "trusted" coffin and commemorated in a "trusted" tombstone.

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Party platforms had begun to denounce the trusts as early as 1885, but it was not until 1890 that agitation against them compelled national lawmakers to lay their hands upon them. What should be done with them was the most perplexing question that had ever come up before the American Congress. In the opinion of some of the leaders *nothing* ought to be done with them; they were mere mushroom growths that if let alone would soon pass out of existence. This *laissez-faire* policy was advocated by Speaker Reed, who denied that trusts were breeders of monopoly, insisting that there was no such thing as monopoly. The "czar" had no patience with anti-trust talk, which he characterized as "idiotic raving" and "pestiferous rant." "Some persons, believing that the trust was only a natural development, a logical and inevitable manifestation of industrial conditions, advocated a control which "would give society in general some of the benefits resulting from the savings and efficiency of combinations." This philosophic view, however, since it never advanced beyond speculation, could bring no satisfaction to the thousands of "small fellows," who were being driven out of business by the trusts. When these victims of monopolies were told that the trust was an evolution, they retorted that there were some evolutions that ought to be hung. The Democrats contended that the trusts had been built up by the tariff and that the way to destroy them was to tear down the protective wall behind which they were sheltered. While this argument was plausible, it was by no means flawless, for free-trade England at the time was being plastered over by trusts. But whether the argument was sound or not, the Republicans were not going to allow the Democrats to profit politically

What Shall
be Done
with the
Trusts?

by unloading the trusts upon the back of protection. Determining to do something to appease anti-trust sentiment, they prepared a bill directed against trusts; but, if we are to believe a Republican senator, O. H. Platt, they did not go about their work in an honest, straightforward manner. "The conduct of the Senate," says this senator, "for the past three days has not been in the line of the honest preparation of a bill to prohibit and punish trusts. . . . The question of whether the bill would be operative, of how it would operate, or whether it was in the power of Congress to enact it, have been whistled down the wind in this Senate as idle talk, and the whole effort has been to get some bill headed: 'A Bill to Punish Trusts,' with which to go to the country." The measure which was finally passed in July, 1890, is known as the Sherman Anti-trust Act, although Senator Sherman was not in a full sense its author. The most significant provisions of the law are Sections 1, 2, and 7, which are as follows:

SEC. 1. Every contract combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding \$5,000, or by imprisonment, not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 2. Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other such persons . . . to monopolize any part of the trade or commerce among the several states, or with foreign nations, shall be deemed guilty of misdemeanor and [punished as provided above].

SEC. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act may sue therefor in any circuit court of the United States . . . without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

This Anti-trust Act has received a larger share of public attention than was ever given to any other Federal statute. The underlying purpose of the law was to break up combinations in restraint

of trade, destroy monopoly, and give free play to the forces of competition. Said Senator Hoar, who had a great deal to do with the framing of the measure: "The great thing that this bill does . . . is to extend the common-law principles, which protected fair competition in England, to international and interstate commerce in the United States." If this was truly the hope of the framers they were doomed to disappointment; for, in one way and another, the law was circumvented and trusts and combinations continued to multiply. Prosecutions under the act were few and far between. In the first eleven years of its existence only eighteen cases were brought before the courts, and in nearly every case the Government lost. What with "holding corporations" and "understandings" and "gentlemen's agreements," the trusts generally managed to slip through the meshes of the law. We shall hear of this celebrated Anti-trust Law again and again, but the story will always be the same: so far as the effect of the statute upon competition was concerned, it might as well not have been spread upon the books.

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Although the Anti-trust Act was passed by a non-partisan vote the Republicans in the congressional elections of 1890 did not hesitate to claim it as their child. In those elections, however, it was the tariff and not the trusts that engaged the attention of the people. In a closing speech against the McKinley Bill the Democratic leader Mills had said: "When you leave the House and Senate with this enormous load of guilt upon your heads and appear before the great tribunal for trial, may the Lord have mercy on your souls!" The words were prophetic; the McKinley Tariff was visited with a storm of condemnation unprecedented in our political history. Although the law had been in effect only a few weeks when the elections were held it had increased prices to such an extent that the people were up in arms. The election was a second "tidal wave," which swept away the Republican majority in the House of Representatives and reduced the Republican majority in the Senate from fourteen to six. In the House the Democrats elected almost enough members to give them a three fourths majority. Democratic gains were made all over the country. Even in New England the Democrats gained eleven members, while in the Middle West—in Indiana, Illinois, Iowa, Minnesota, Kansas, Nebraska—the Democratic victory was little less than a political revolution. The underlying cause of the defeat was an

A Second
"Tidal
Wave"

increase in the cost of living which the people believed was due to the McKinley Bill. The following interesting comment on the campaign was made by Speaker Reed:

In hundreds of cases the "drummers" were, intentionally or unintentionally, missionaries to preach Democratic doctrine. They went all over the country with their stories of advances in prices that were to be made next week or next month on account of the McKinley Bill. But I am inclined to think that the most important factor in the result of this election was the women of the country. It is the women who do the shopping, who keep the run of prices, who have the keenest scent for increased cost. They heard in every store the clerks behind the counters explain how this article or that could not be sold hereafter at the former price because of the McKinley Bill; they went home and told their husbands and fathers, and their stories had a tremendous effect at the ballot-box.

THE PRESIDENTIAL ELECTION OF 1892

With the House in the complete control of the Democrats, conditions during the last two years of the Harrison administration were unfavorable to legislation. About all the Republicans could do was to nurse as best they could the wounds received in 1890 and prepare themselves for 1892. President Harrison enjoyed to a considerable degree the confidence of the rank and file of his party, but his brusque and cold manner caused him to be disliked by many powerful leaders. The friends of Blaine were still active and would gladly have nominated their old chieftain again; but early in 1892 he announced that he was not a candidate. He was now an invalid unfit for the race. A few days before the meeting of the national Republican convention he resigned from the cabinet. This marked the end of his long and brilliant career. Sick, disillusioned, and disappointed, he retired to his home in Maine, where in a few months he passed away. If he had come forward as a candidate for the nomination he would doubtless have been defeated; for although there was but little enthusiasm for Harrison he was the logical candidate, and politicians turned to him as the leader most likely to win. When the Republican convention met at Minneapolis in June Harrison delegates were sufficiently numerous to secure control of the organizations and nominate their man on the first ballot.

For the Democratic nomination there was a lively contest between the followers of ex-President Cleveland and those of David B. Hill, a highly resourceful New York politician of the machine type. Hill began his campaign for delegates with an exhibition of sharp practice. Causing the New York Democratic convention to be assembled at Albany several months in advance of the usual time, he secured for himself the whole body of delegates to which the State was entitled in the national convention. But the Cleveland men refused to recognize Hill's "snap convention," as it was called. They organized a rival "anti-snapper" convention, which met at Syracuse and chose contesting delegates. The anti-snappers went to Chicago, where the national Democratic convention was held, but they failed to secure recognition. As it turned out, their votes were not needed. The tide for Cleveland was running so strong that his manager at the convention, W. C. Whitney, exclaimed: "I can't keep the votes back. They tumble in at the windows as well as at the doors." The first ballot showed that the Hill strength was virtually confined to New York and that Cleveland was easily the choice of the convention and of his party, the vote being six hundred and seventeen for the ex-President and one hundred and fourteen for Hill.

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Cleveland
Again the
Choice of
the Demo-
crats

Thus the candidates of the two great parties in 1892 were the same men who carried the banners in 1888. And the issues of the campaign were largely the same. On the subject of silver, the question about which the people of the South and West cared the most, the platform expressions of both parties were wobbly and enshrouded with ambiguity. The Democratic platform, however, was clear on one point: it denounced the Sherman Silver Act and advocated its repeal. The central issue of the campaign was the tariff. The Republicans, adhering firmly to the doctrine of protection, declared that on all imports coming into competition with the products of American labor there should be levied duties equal to the difference between wages abroad and at home. The Democrats, asserting that Republican protection was a robbery of the great majority of the people for the benefit of the few, declared it to be a fundamental principle of their party that the Federal Government has no constitutional power to impose and collect tariff duties except for purposes of revenue only. This harsh and extreme attack upon the principle of protection, however, was softened by Cleveland in his letter of acceptance, in

The Issues

which he stated that no war of extermination would be waged against any American interest.

In this campaign a third party had to be reckoned with. This was the People's party—Populists they were generally called,—which was gathering to itself the discontented and radical elements of the West. In the congressional election of 1890 the new party elected nine representatives and two senators. In 1892 the Populist party, coming forward as a national political organization, held a convention at Omaha and nominated James B. Weaver of Iowa for President. The platform which they adopted declared for the free and unlimited coinage of silver, a per capita currency of not less than fifty dollars,¹ a graduated income tax, a system of postal savings-banks, and the governmental ownership of railroads, telegraphs, and telephones. As expressive of the opinion of the party the committee on resolutions submitted a report favoring the Australian or secret ballot system, the restriction of undesirable immigration, the shortening of the hours of labor, the initiative and referendum, and the election of United States senators by popular vote. General conditions as seen through Populist spectacles were portrayed in the following words:

We meet in the midst of a nation brought to the verge of moral, political, and material ruin. Corruption dominates the ballot-box, the legislature, the Congress, and touches even the ermine of the bench. The people are demoralized; most of the States have been compelled to isolate the voters at the polling-places to prevent universal intimidation or bribery. The newspapers are largely subsidized or muzzled; public opinion silenced; business prostrated; our homes covered with mortgages; labor impoverished; and the land concentrating in the hands of the capitalists. The urban workmen are denied the right of organization for self-protection; imported pauperized labor beats down their wages; a hireling standing army, unrecognized by our laws, is established to shoot them down, and they are rapidly degenerating into European conditions. The fruits of the toil of millions are boldly stolen to build up colossal fortunes for a few, unprecedented in the history of mankind; and the possessors of these, in turn, despise the republic and endanger liberty. From the same prolific womb of governmental injustice we breed the two great classes of tramps and millionaires.

¹ In 1920 the per capita currency was considerably above the figure proposed by the Populists.

In conservative circles this pessimistic utterance was characterized as ridiculous piffle, yet everybody knew that there was a deal of truth in what the Populists said. As for the new party itself, the politicians affected to despise it and belittle its strength; yet as a matter of fact its influence in the canvass was felt and feared. Its straightforward declaration in favor of the free coinage of silver aroused apprehension on the part of both Republicans and Democrats. Not since the days of the Know-nothings¹ had a third party made such a powerful appeal to the voters.

The campaign of 1892 was what would now be called a "pussy-foot" affair. It was a skilfully conducted still-hunt for votes. No scandals were unearthed and no sensational episodes occurred. Neither Harrison nor Cleveland appealed very powerfully in a personal way to the popular imagination and both men failed to receive the warm-hearted, enthusiastic support of the practical politicians. It is said Robert G. Ingersoll declared that each party would like to beat the other without electing its own candidate. The tariff was freely discussed on the hustings, but both sides were careful not to press their contentions too hard. Republican oratory could hardly wax eloquent when speaking of the McKinley Bill, while the Democrats could not emphasize the revenue principle when their leader had promised the country that protective duties would be tolerated. The silver issue, as if by the tacit assent of both sides, was kept in the background, and nothing was heard of it except in those States where the movement for free coinage was strong. In such States fusions were made in several cases between the Democrats and the Populists.

During the campaign period many things operated to injure the chances of the Republicans. The farmers were in a bad plight; large numbers of workmen were out of employment; the security market was in a panicky condition; wages in many places were being reduced; and there were big and disastrous strikes. All this was of bad omen to the party in power. In July there occurred a labor disturbance, the consequence of which brought positive harm to the Republican ticket. The scene of the trouble was at Homestead, a suburb of Pittsburgh, where the Amalgamated Iron and Steel Workers, the strongest of trade-unions, came into conflict with the strongest of manufacturing corporations, the Carnegie Steel Co. Failing to come to an agreement with their employers

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A "Pussy-foot"
Campaign

Bad Omens
for the
Republicans

¹ See p. 398.

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on the subject of wages, the men quit work. The issue upon which the strike was called involved not only a question of wages but also the question of the union's dissolution, for H. C. Frick, the manager of the Carnegie company, being a bitter opponent of organized labor, desired the destruction of the union. Even before the strike had been ordered Frick had arranged with the Pinkerton agency for three hundred detectives to guard the property of the company. The working-men, who had been warned that the Pinkerton men were coming, armed themselves with guns, and, when the detectives arrived, gave them a pitched battle. When the fighting was over about half a dozen men on both sides had been killed, and a number seriously wounded. The news went out that Pinkerton men had been hired to shoot down working-men, with the result that passion among laboring men ran high in all parts of the country and that many a working-man's vote was given to the Democrats simply to rebuke the Republicans.

A
Surprising
Victory

As the campaign drew to a close it seemed upon the whole that the Democratic chances were good, although everybody thought the election would be close. It turned out that the Democrats won a victory that astonished even themselves. Cleveland, besides receiving the votes of the solid South, was successful in all the doubtful States—Connecticut, Indiana, New Jersey, West Virginia, and New York—and, to the amazement of the country, even carried the rock-ribbed Republican States of Illinois, Wisconsin, and California. Moreover, he obtained one vote each from North Dakota and Ohio, and five from Michigan. His total electoral vote was 277 against 145 for Harrison and twenty-two for Weaver. The popular vote for Cleveland was 5,556,543; for Harrison, 5,175,582; for Weaver, 1,040,886.

The
Politicians
Puzzled

Fully as surprising as the Democratic vote was that which was cast for the Populist ticket. General Weaver carried four States outright—Colorado, Idaho, Kansas, and Nevada—and received one vote in North Dakota and one in Oregon. This startled the leaders of the two old parties. Not that they were afraid that the new party might march on to victory. To organize a third party and carry it to complete victory is a task that has not been accomplished once in our history. We have had many third parties, but the history of them all is the same: they have all been absorbed by the older parties. Which of the two great parties would absorb the Populist party, with its free silver notions? This was the

question that began to puzzle the politicians as soon as they learned that a million votes were cast for the Populist candidate.

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NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

- 1886 Geronimo and his band of Apache Indians surrender to General Miles.
Bartholdi's statue of "Liberty Enlightening the World" (a gift from France) is unveiled in New York Harbor.
Charleston, South Carolina, is shattered by an earthquake.
- 1887 The Tenure of Office Act is repealed, leaving the President the power to remove officers without the consent of the Senate.
- 1888 A great blizzard in the Eastern States causes a great number of lives to be lost and holds New York City in snowdrifts for several days.
The Australian Ballot. (A method of voting which was called the Australian ballot system and which requires the casting of the ballot in secret. It was adopted in Massachusetts in 1888, and by the other States in rapid succession until the system became almost universal throughout the United States.
Lord Sackville, the British minister, is dismissed on account of an indiscreet letter touching upon American politics.
The Mormon Church declares against the practice of polygamy.
- 1889 The Federal Department of Agriculture is established.
A flood caused by the breaking of a dam at Johnstown, Pennsylvania, destroys the lives of more than 2,000 people.
The Catholic University of America is opened at Washington.
The Socialist Labor party is organized.
- 1890 The Anti-saloon League is founded.
The Ocala platform is adopted by the National Farmers' Alliance at Ocala, Florida. (The principles declared in this platform were adopted by the Populists.)
Woman's Christian Temperance Union is organized.
The new Croton aqueduct is completed.
- 1891 The international copyright law is enacted, extending the privilege of American copyright to authors in such foreign countries as grant the same privilege to American authors.
- 1892 The Bering Sea Arbitration treaty ratified.
Provisions and money sent for the relief of starving peasants in Russia.
The Geary Chinese Exclusion Bill enacted.
The Navigation Laws of the United States suspended so as to admit the steamers *City of Paris* and *City of New York* to American registry.

Suggested Readings

- The Far West: Sparks, pp. 251-264.
- The second Harrison: Haworth, pp. 184-205; Stanwood, Vol. I, pp. 457-485.
- The New West: Haworth, pp. 341-350.
- The trend of diplomacy: Lingley, pp. 281-302.
- Cleveland's second election: Stanwood, Vol. I, pp. 486-518.
- The Tariff Act of 1890: Taussig, pp. 251-283.

XXXI

A TIME OF GREAT FERMENT: 1893-97

THE four years which cover the second term of Grover Cleveland," says Stanwood, "may be characterized as the most momentous period in a time of peace, in the history of the country, and as the most interesting, from a political point of view, in either war or peace. . . . It was a time full of surprises, the last and greatest of which was the sudden rise, to an issue of overwhelming importance and interest, of a question that had troubled the peace of American politicians for twenty years, but had previously been dallied with and avoided, never met squarely and with courage."¹

THE WORLD'S COLUMBIAN EXPOSITION

The World's
Columbian
Exposition

President Cleveland began his duties for the second time by delivering his inaugural address in a driving storm of sleet and rain which symbolized fittingly the turbulent conditions which, as he could see all too plainly, were prevailing in the world of men and things around him. Although he saw breakers ahead he could nevertheless, with his countrymen, forget for a moment the troubles of the nation and view with pride and satisfaction the wonders of the World's Columbian Exposition which he was called upon to open soon after his inauguration. This exposition was held at Chicago, its purpose being to commemorate the four hundredth anniversary of the discovery of America by Christopher Columbus. It was officially opened in October, 1892, but visitors were not admitted until May, 1893.

When the President touched an electric button, the ponderous machinery started in its revolutions and the activities of the exposition began. Fountains began to play, chimes began to ring, curtains in front of the platforms parted to show models of the three boats of Columbus, the flags of many nations were unfurled, cannons boomed, bands played, and the people cheered wildly.

¹ Edward Stanwood, "A History of the Presidency"; Vol. I, p. 519.

The cheers could hardly have been suppressed, for the exposition was the most magnificent the world had yet seen. Its buildings occupied 660 acres of ground, the largest structure, the one devoted to manufactures and the liberal arts, covering twenty-five acres. The location of the fair was on the border of Lake Michigan, where a stretch of ugly swamp land was by the hands of great artists transmuted into a "shimmering dream of loveliness."

The people of the United States were justly proud of the many triumphs of the exposition, but the exhibits of foreign countries were of such surpassing excellence that they had the effect of bringing home to the minds of reflecting citizens the truth that America was not the only land of progress. Indeed the achievements of the Old World as revealed at the exposition were in not a few instances so striking as to cause American achievement to suffer when a comparison was instituted. So far was this true that an American visitor commenting on the exposition was constrained to say:

The fair will have been of immense value to us if as a mere incident of it we learn—what it is easy to forget—that while we make progress other nations are making progress also, and that we can as little afford to neglect their achievements as they can afford to neglect ours. . . . Europe is producing the Pasteurs and Kochs, and is leading us in about every field of thought that involves revolutionary methods and perfect daring. In the whole realm of ideas there is a fine ferment in Europe compared with which our thinking seems dull and stagnant. . . . The large exhibitions from England, France, Germany and other European states will teach us how very modern and progressive those so-called "effete" countries are, and what a splendid and determined vitality they possess.

A HARD BLOW AT SILVER

When the President turned from the glories of the exposition to take up his tasks at Washington he found himself confronted by a burden that only a strong back could bear. But he was not compelled to toil alone as in his first administration. He could go about his work feeling that Congress was on his side, for the Democrats had a clear majority in both the Senate and the House. He could rely, too, upon the perfect loyalty of his cabinet,¹ since it

The
Cabinet

¹The members of this cabinet were: W. Q. Gresham of Illinois, secretary of state; P. G. Carlisle of Kentucky, secretary of the treasury; D. S. Lamont of New York, secretary of war; Richard Olney of Massachusetts, attorney-

was composed of men whom he really wanted, not one of them having been forced upon him by the exigencies of party. Yet despite this solid support the President himself felt it was more than likely that his administration would end in disaster, so formidable were the dangers with which it was encircled.

The first serious matter with which the new President had to deal was a deplorable condition of the National Treasury. In the first place, the Government could hardly meet its current expenses. The splendid surplus¹ which Cleveland had bequeathed to Harrison in 1889 had by 1893 been transformed into a deficit, thanks to the lavish expenditures authorized by the "Billion-dollar Congress" and to a big drop in customs revenues occasioned by the McKinley Act. In the second place the whole currency system was out of joint. It will be remembered that when specie payments were resumed in 1879 there was set aside about \$100,000,000 in gold for the redemption of the outstanding United States notes (greenbacks), the amount of which was about \$346,000,000.² It will also be recalled that the treasury notes issued under the Sherman law of 1890 were made redeemable either in gold or in silver, as the secretary of the treasury might decide.³ At the beginning of Cleveland's second term the treasury notes issued under the law of 1890 amounted to nearly \$150,000,000, and the amount was increasing all the time. Here was about \$500,000,000 of current money, greenbacks and treasury notes together, redeemable under the law in gold, if holders should ask for gold, while the gold reserve available for redemption purposes amounted to only \$100,000,000. It is true, the redemption might lawfully have been made in silver, but the secretary of the treasury, whether under Harrison or Cleveland, chose to redeem both greenbacks and treasury notes in gold, considering that a refusal to do so would mean the adoption of a silver basis. Under both Presidents the demands for redemption in gold was insistent. Even before the end of Harrison's term the gold reserve was crumbling away, owing largely to the fact that legal-tender notes were being presented at the Treasury for redemption. In one way and another, however, the Harrison general; W. S. Bissell of New York, postmaster-general; H. A. Herbert of Alabama, secretary of the navy; Hoke Smith of Georgia, secretary of the interior; J. S. Morton of Nebraska, secretary of agriculture.

¹ See p. 555.

² See p. 553.

³ See p. 630.

administration "paddled along" and managed to escape the charge that the Treasury was bankrupt, although preparations were actually made for the issuance of bonds to secure gold for the reserve.

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XXXI

After Cleveland took his place at the head of affairs in the spring of 1893 the drain upon the gold reserve became rapidly heavier. There were many reasons why holders of greenbacks and treasury notes should want them redeemed in gold. A great increase in the production of silver was lowering its price; many governments, particularly that of British India, were discontinuing their purchases of silver; foreign investors were selling American securities and demanding gold in payment; the business men of the East were discrediting silver as a circulating medium. Accordingly treasury notes and greenbacks were brought in great bundles to the Treasury, and gold was carried away. But the legal-tender notes were not impounded; they were paid out over the counters of the Treasury and were soon in circulation again, only to be collected and presented again for redemption. Thus the process resembled the working of an "endless chain." "But these obligations," said Cleveland in a message, "when received and redeemed in gold are not cancelled, but are reissued and may do duty many times by way of drawing gold from the Treasury. Thus we have an endless chain in operation, constantly depleting the Treasury's gold and never near a final rest." There was one way of bringing the endless chain to a rest: the secretary of the treasury under the law could redeem the notes in silver instead of gold. But in the opinion of the President this would have destroyed the parity between the two metals, and he was determined that the parity should be maintained. This, he contended, could only be done by redeeming in gold when gold was asked for.

The
"Endless
Chain"

The President's remedy for the drain upon the Treasury was to repeal the purchasing clause of the Sherman Silver Law of 1890 and thus discontinue the issuance of the treasury notes. Accordingly he called Congress together in special session in August, 1893, and earnestly recommended the immediate repeal of the provisions of the act of 1890 authorizing the purchase of the bullion. In the House the cause of silver found an ardent champion in William Jennings Bryan, a young member from Nebraska. In a speech that attracted the attention of the country Bryan stated the arguments of the free silver party. As for the proposed repeal, he

The
Purchasing
Clause
of the
Sherman
Silver Law
Repealed

denied that it would bring the endless chain to rest, asserting that it could still be kept in motion by the greenbacks. "We have \$346,000,000 worth of greenbacks," he said, "with which gold can be drawn so long as the Government gives the option to the holder. If all the treasury notes were destroyed, the greenbacks are sufficient to draw out the \$100,000,000 reserve three times over, and then they can be reissued and used again. To complain of the treasury notes while the greenbacks remain, is like finding fault because the gate is open when the whole fence is down." But opposition was in vain. In the House repeal was promptly agreed to by a vote of 239 to 109. In the Senate, where silver was stronger, the bill was delayed by obstructive tactics. The claims of silver were rehearsed in relays: Senator Jones of Nevada made a speech that filled a hundred pages of "The Congressional Record"; and Senator Allen of Nebraska spoke for fifteen hours. But the obstructionists were at last compelled to surrender. On October 30 the bill reached a vote and was passed, twenty-two Democrats and twenty-six Republicans voting for it, and twenty-two Democrats, twelve Republicans, and three Populists voting against it. The vote showed that on the silver question the two great parties beyond all doubt were split wide open.

The
"Endless
Chain"
Continues
to Move

With the repeal of the Silver-purchase Act, business men in the East breathed a sigh of relief. They said "that the advocates of free silver had had their Waterloo and that they were now going to their St. Helena." But talk of this kind was premature. The repeal did not bring the endless chain to rest. On the contrary that machine continued in motion, and the gold reserve fell lower and lower. By the middle of January, 1894,—less than three months after the repeal—the gold reserve was less than \$70,000,000. Here indeed was a crisis. If the Government should cease to pay gold on demand for greenbacks and treasury notes the financiers would regard it as bankrupt, as being in the condition of a bank unable to redeem its notes, or of an individual unable to meet his obligations. The silver men, it is true, did not take this view of the situation. They contended that if the secretary of the treasury would only allow silver to share with gold the burden of redemption all would be well. But the President was with the business men, and he determined that the reserve should be replenished. The secretary of the treasury, using power which he possessed under existing law—for Congress refused to give him any new power for

dealing with the situation,—began to sell bonds—that is, to borrow money—in order to secure gold enough to bring the reserve up to the \$100,000,000 mark. But the secretary was pursuing an *ignis fatuus*. In order to get the gold to pay for the bonds the subscribers withdrew it from the Treasury by the presentation of legal-tender notes. There were two sales of bonds but no good results followed; the more gold the Treasury borrowed the lower the reserve fell. By February, 1895, although about \$117,000,000 of gold had been borrowed, the gold reserve was only \$41,000,000.

In desperation Cleveland now called J. P. Morgan to the White House and after conferring with that great financier entered into an agreement with the banking houses of Morgan, Belmont, and Rothschild for the purchase of 3,500,000 ounces of gold to be paid for in United States bonds, which were to be delivered at a price considerably lower than the current market price and were to bear interest at 4 per cent. As a part of the arrangement the bankers agreed to use their influence to protect the Treasury from further withdrawals of gold. When the nature of the transaction became known to the public the indignation which arose was nation wide. Even in the East there was a storm of criticism. In the opinion of "The New York World" the profit of the bankers "was not earned by any service or by taking any risk. It was gratuitously given to the syndicate by the Administration in a secret conference and will be paid out of the public Treasury. Is there any term but 'bunco' with which to describe the transaction?" Said "The Springfield Republican": "There cannot be the slightest doubt . . . that the Government, had it invited competing bids for the new issue, could have sold the loan on nearly a three per cent basis." In Congress the silverites, regarding the deal as a surrender to Wall Street, denounced it in the bitterest terms. "What is this contract?" asked Bryan. "It is a contract made by the executive of a great nation with the representatives of foreign money loaners. . . . It provides for the private sale of coin bonds running thirty years at 104½ which ought to be worth 119 in the open market.¹ What defense can be made for this gift of something like seven and a half million dollars to a bond syndicate?" Attacking the doctrine that redemption should be made in gold and gold alone, Bryan declared that there would be further issues of bonds and that the leak in the

CHAP.
XXXI

An
Unpopular
Contract
with the
Bankers

¹ The bonds were sold by the bankers at 118, and they yielded a profit to the syndicate of about \$7,000,000.

Treasury would not be stopped. As a matter of fact there was one more issue of bonds. The Morgan-Belmont arrangement brought relief to the Treasury for about ten months; then the endless chain began to work again, and quickly the Government was in such a bad financial plight that in January, 1896, a loan had to be resorted to. This time the sale of bonds was thrown open to the public with the most gratifying results. A call was made for \$100,000,000 and response came from more than 4500 subscribers, whose bids covered the sum asked for many times over. The bonds sold at about 111, against the 104½ paid by the Morgan people. The rate of interest borne by the new loan was 3.4 per cent. By the time the borrowed money began to be available for the Treasury the gold reserve had fallen below \$45,000,000. In spite of the replenishment the reserve again began to fall, and by July, 1896, it was about \$90,000,000. But it was allowed to fall no further. As a Presidential campaign was now in full swing, financiers were seized with a fear that a new bond issue might have the effect of strengthening the claims of the silver advocates. Accordingly the bankers combined to support the reserve by paying out gold in exchange for notes, instead of presenting notes to the Treasury to be exchanged for gold. The plan succeeded; the reserve fell no further, the endless chain came to rest, and the gold standard was henceforth maintained. The bonds issued to maintain it amounted altogether to \$262,000,000.

THE PANIC OF 1893; POPULAR UNREST

While President Cleveland was struggling to secure the repeal of the Sherman Silver Law and moving heaven and earth to maintain the gold standard, the country was passing through a period of hard times known as the Panic of 1893. We have seen that in the autumn of 1892 conditions in the financial world were bad.¹ They continued to grow worse, and by the middle of 1893 the country was experiencing the most disastrous panic of its history. In December the comptroller of the currency announced the failure during the year of 158 national banks, 172 State banks, 177 private banks, forty-seven savings-banks, thirteen loan and trust companies, and six mortgage companies. Most of the failures were in the South and West where finances were in such a state of collapse that general bankruptcy was threatened. Money was so hard to get

¹ See p. 639.



Amos Cleveland

that a premium was offered for currency of almost any kind—gold, silver, treasury notes, greenbacks, anything with which to settle the next day's obligations. Holders of money hoarded it instead of depositing it in the banks, with the result that deposits in the national banks alone shrank nearly half a billion dollars in the single month of October. In some places currency was so scarce that the primitive methods of barter were brought into use. In the cities depositors who presented checks at banks, instead of receiving cash, were given clearing-house certificates. In some of the Southern cities certificates of this kind were issued for general circulation. The chaos in monetary affairs led to a breakdown on the stock market, which affected nearly every class of securities. American Sugar fell from 111 to 61; National Cordage from 138 to 7; Union Pacific from 39 to 15; Northern Pacific from 47 to 15. As the fluctuations grew in violence a wider and wider circle of speculative operations was drawn into the gambling whirlpool.

What brought on the crisis of 1893 is not easy to say, for one exclaims, "Lo, it is here!" and another, "Lo, it is there!" Bimetallists were sure the depression was due to the war which the Government was waging against silver. Monometallists were sure that it was due to a fear that the silverites would succeed in driving gold out of circulation. W. Jett Lauck, whose scholarly book, "The Causes of the Panic of 1893," won for the author a handsome prize, tells us that the crisis was directly and wholly attributable to a widespread fear both at home and abroad that the United States would not be able to maintain a gold standard of payments. This was virtually the view taken by Cleveland. The unfortunate financial plight of the country, he said, was not the result of untoward events, nor was it traceable to any of the afflictions which frequently check national growth and prosperity; it was chargeable principally to a law of Congress, the Sherman Silver Law of 1890, the workings of which threatened the existence of the gold standard. Among Republican politicians there was a disposition to ascribe the panic to a popular dread of Democratic rule and the enactment of free-trade legislation. Representative Grosvenor of Ohio, drawing a picture of conditions after the election of 1892, said:

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The Cause
of the
Panic

One by one the furnaces went out. One by one the mines closed up. One after another the factories shortened their time. Why did they do this? Was it a mere senseless stampede? Was it a

CHAP.
XXXI

Wall Street panic? Was it an unintelligent curtailment of the business of the country? I say not. Where is there an intelligent man to-day, if he were a manufacturer, with the threat of the Democratic party in power . . . and confiding as human nature does in the belief that a great political party will do as it says . . . what one of you at the head of an industrial institution would carry on your business?

The Effects
of the
Panic

Although the political doctors differed widely about the cause of the panic there could be no difference of opinion as to its effects. Its blighting influence was felt in every section of the country, and in its train there followed a period of hard times that lasted for nearly three years. The rich as well as the poor were reached by the depression. In the cities hundreds of thousands found themselves without employment. Never before in the history of the United States had there been such a large number of men out of work. In the West farmers, unable to sell their crops at any price, were sometimes forced to burn as fuel the grain which they had raised at great expense and with much toil. There were districts where farmers could not so much as buy clothes for their backs and went clad in the sacks into which they were accustomed to put their grain, their feet wrapped about with rags which took the place of shoes.

Coxey's
Army

The hard times were accompanied, of course, with a vast amount of unrest and lawlessness. People who are cold and hungry do not remain quiet and peaceful. In the spring of 1894 many little "armies of the unemployed" were organized in different parts of the country with the view of marching to Washington and making known their wants to Congress. The most spectacular of these "armies" was the one led by J. S. Coxey, who started from Massillon, Ohio, for Washington with about a hundred men. Coxey had a plan for the improvement of roads throughout the country, the expense to be met by an issue of \$500,000,000 in greenbacks. The object of his scheme was (1) to give work to the unemployed; (2) to give the nation a good system of highways; and (3) to give the people more money for the transaction of business. On May 1 Coxey with a handful of men arrived in Washington. Marching to the Capitol, where he expected to make a demonstration, he was arrested for "trespassing on the grass" of the Capitol lawn. His army of a few dozen men now dwindled

away, and thus the movement, so far as practical results were concerned, came to naught.

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XXXI

More serious than the marching "armies" were the strikes which occurred during this time. In 1894 more men quit their jobs than in any preceding year of our history. In the bituminous coal fields 125,000 men threw down their picks. The most formidable of the strikes was in Chicago where in May, 1894, the employees of the Pullman Palace Car Co. struck against a reduction of wages. Under the leadership of Eugene V. Debs, the president of the American Railway Union—an organization numbering 150,000 men,—the railroad workers voted to stop handling Pullman cars unless the Pullman company should consent to arbitration. The mayors of more than fifty cities urged the company to submit to arbitration, but its steadfast reply was, "The company has nothing to arbitrate." On June 26, therefore, the railway men struck in sympathy with the Pullman men. Once begun, the strike assumed greater and greater proportions, and it was not long before railway transportation west of Ohio was paralyzed. The strike extended to the railroads of twenty-seven States. In Chicago, the center of the disturbance, mobs gathered in the freight yards and hundreds of cars were burned. Violence as a policy, however, was disavowed by the strikers. "I appeal to the strikers everywhere," said Debs on June 29, "to refrain from any acts of violence. . . . A man who will destroy property or violate law is an enemy and not a friend to the cause of labor." Still, property *was* destroyed, and at first little was done to protect it. The governor of Illinois, John P. Altgeld, who was in full sympathy with the strikers, delayed calling out the militia. The matter was, however, taken out of the governor's hands by the President, who, when he was informed that the movement of mails was being obstructed, ordered United States troops to the scene of the disturbance. Altgeld protested against the sending of the Federal troops on the ground that Illinois was able to take care of itself, and on the further ground that the President had no constitutional right to send soldiers of the regular army into a State except on the application of the legislature or the governor. But the President gave little heed to this protest. He persisted in sending the troops, declaring, it was reported, that if it took every dollar in the Treasury and every soldier in the United States army to deliver a postal-card in Chi-

The
Pullman
Strike

cago that postal-card should be delivered. Soon after the arrival of the regular troops the rioting ceased and the strike came to an end.

While the strike was in progress a judge of the United States district court of Illinois issued a "blanket injunction" ordering the officials and members of the American Railway Union to desist from interference in any manner with the business of the railroads. Debs as president of the union continued to direct the strike, with the result that on July 7 he was arrested for contempt of the order of the court and imprisoned. On December 14 he was found guilty of contempt of court as well as of conspiracy under Section 2 of the Sherman Anti-trust Law.¹ Although this law had been framed with the view of checking the power of the trusts, it was made to do service in restricting the power of labor-unions, and thus to catch game for which the trap was not set. The sentence imposed by the court was six months' imprisonment. The case was taken to the Federal Supreme Court where the action of the lower court was upheld.

For a judge to use the injunction to punish a person for violating a law was a surprising extension of the judicial power. The spirit and practice of Anglo-Saxon jurisprudence had always been to give an accused person the right of a trial by jury. The punishment of Debs received the hearty approval of most conservatives, although to many old-fashioned minds the procedure in his case seemed to be unjust. "This action of the judicial power," said "The Springfield Republican," "cannot go without rebuke. . . . If Debs has been violating the law let him be indicted, tried by a jury, and punished. Let him not be made the victim of an untenable court order and deprived of his liberty entirely within the discretion of a judge. . . . If the precedent now established is to stand, there is no limit to the power which the judiciary may establish over the citizen."

In the Pullman disturbance capital and labor were squarely pitted against each other and capital came out with flying colors; the strike failed completely and its leaders were confounded and suppressed. But what were the merits of the dispute? In order to get an answer to this question President Cleveland in July, 1894, appointed a commission to investigate the nature and causes of the Pullman trouble. In its report the commission spoke of the

¹ See p. 634.

Managers Association—the railroad organization opposed to the strikers—as “an illustration of the persistent and shrewdly devised plans of corporations to overreach their limitations and to usurp indirectly powers and rights not contemplated in their charters and not obtainable from the people or their legislatures.” Other important findings of the commission have been summarized as follows:

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The Pullman Company, while providing a beautiful town for its employees, charged rents twenty to twenty-five per cent. higher than were charged in surrounding towns for similar accommodations, and the men felt a compulsion to reside in the houses if they wished to retain their positions; when wages were reduced, the salaries of the better paid officers were untouched, so that the burden of the hard times was placed on the poorest paid employees; there was no violence or destruction of property in Pullman, and much of the rowdyism in Chicago, but not all of it, was due to the lawless adventurers and professional criminals who filled the city at that time; when various public officials and organizations attempted to get the Company to arbitrate the dispute, the uniform reply was that the points at issue were matters of fact and hence not proper subjects for arbitration; and the Managers' Association selected, armed, and paid 3,600 federal deputy marshals who acted both as railroad employees and as United States officers, under the direction of the Managers.¹

HAWAII; VENEZUELA

When the President turned from the ferment at home to foreign affairs he found a situation that was by no means peaceful. At the very beginning of his second term he was confronted by the Hawaiian question. The interest of our Government in the mid-Pacific group known as the Sandwich or Hawaiian Islands dates from the middle of the eighteenth century when Webster, as secretary of state, had occasion to announce officially in 1851 that the United States would never consent to see these islands taken over by any of the great powers of Europe, and that unjust demands must not be enforced against the Hawaiian Government. The position thus assumed toward the islands was a virtual protectorate on the part of the United States. From time to time there was talk of our annexing Hawaii. Marcy and Seward and

The
Hawaiian
Question

¹ C. R. Lingley, “Since the Civil War”; p. 323.

Blaine were all for annexation. As early as 1881 Blaine was contemplating taking possession of the islands, and when he came back into office under Harrison the matter wore a more serious aspect than ever. In 1891 the Hawaiian monarch, King Kalakaua, died and was succeeded by his sister Liliuokalani, a woman of much spirit but of an autocratic disposition. Just before her accession to the throne the Hawaiian people had succeeded in securing a constitutional government. This was brushed aside by the new queen, who preferred to rule as a despot. A revolution followed, and a provisional government under the leadership of S. B. Dole, an American by descent, was set up. Dole asked J. L. Stevens, the American minister at Honolulu, for help, and it was given; a force of United States marines went ashore and served as a prop to the new government. Stevens sent home a despatch saying, "The pear is now fully ripe and this is the golden hour for the United States to pluck it." President Harrison, who was in favor of plucking the pear, caused a treaty of annexation to be drawn up and presented it to the Senate, but before action was taken his term came to an end. The Hawaiian question, therefore, was handed on to the Cleveland administration.

Cleveland was willing that the Hawaiian pear should hang on its twig a little longer. Withdrawing the treaty from the Senate for examination, he sent James H. Blount out to Hawaii to make investigation touching all our relations with the islands. Although Blount was given "paramount" authority, his official status was a matter of doubt; for the President had commissioned him without obtaining the Senate's ratification of his appointment. Official nondescript though he might be, he used his "paramountcy" without reserve. He ordered the American flag lowered from the government buildings in Honolulu, and he made the marines go back to their ships. He reported to Cleveland that the greater part of the natives were in favor of the ex-queen and that the revolution had succeeded through the support of the United States minister and the marines. Upon receiving this information Cleveland decided that it was his duty to restore the queen to her throne. In accordance with instructions, the newly appointed minister to Hawaii, having with much difficulty secured from the queen a promise that she would grant full amnesty to all persons connected with the revolution, commanded President Dole to relinquish to the queen her constitutional authority. This Dole politely but firmly

refused to do. Here indeed was a pretty kettle of fish! Should the queen be restored by force? Should American guns be turned upon men of American blood in order to restore to her throne a Polynesian queen who was at heart a tyrant? Without the sanction of Congress Cleveland could not of course resort to force, and that sanction he could not obtain. He submitted the matter to Congress without comment and received what was virtually a snub; for in May, 1894, the Senate voted unanimously that Hawaii should manage its own affairs and that the United States should not interfere. The provisional government was therefore free to go on with its plans. It proceeded to effect a permanent organization, and by July 4, 1894, there had been established for the islands a republic which was at once recognized by all the powers including the United States. The sentiment on the islands for annexation continued to be strong, and in 1898 when the United States desired Hawaii as a naval base the acquisition was easily effected by means of a joint resolution of the two houses of Congress. In 1900 Hawaii was organized as a Territory and the Hawaiians were admitted to American citizenship. The United States was now half-way across the Pacific.

Viewed from the President's point of view the Hawaiian incident was an extremely unpleasant one, but it had no great effect upon the popular mind. "Had Mr. Cleveland simply put the treaty in the fire and kept his hands off Hawaii altogether, the whole affair would have been forgotten." But the Venezuelan question with which he was called upon to deal had in it such mighty possibilities of mischief that it caused deep apprehension in the minds of all thoughtful people. There had been a long-standing controversy over the boundary between Venezuela and the colony of British Guiana, and repeatedly Venezuela had appealed to our Government to interfere against what she contended was encroachment upon her soil. Our replies were uniformly friendly, but the boundary dispute did not become sufficiently acute to demand action by our State Department until 1895, when it was becoming plain to President Cleveland that Great Britain was determined to extend the western boundary of her colony so far into Venezuelan territory that the extension would be violation of the Monroe Doctrine. "We had seen," said Cleveland in 1904, "her [Great Britain's] pretension in the disputed regions widen and extend in such manner and upon such pretexts as seemed to constitute an actual or

threatened violation of a doctrine which our nation long ago established, declaring that the American continents are not to be considered subjects for future colonization by any European power." The President had made repeated attempts to persuade the British Government to submit the dispute to arbitration but without success. Finally he determined to stop throwing grass and to see what virtue there might be in stones. In July, 1895, Richard Olney, who had succeeded Gresham as secretary of state, set forth in a despatch to Great Britain the views of the American Government in regard to the controversy. In remarkable language Olney protested against the enlargement of the area of British Guiana in derogation of the rights of Venezuela, appealing to the Monroe Doctrine as furnishing valid reasons for the protest. Never before had the doctrine been interpreted in such a broad and sweeping manner. "The United States," said Olney, "is practically sovereign on this continent, and its fiat is law upon the subject to which it confines its interposition. Why? . . . It is because in addition to all other grounds its infinite resources combined with its isolated position render it master of the situation and practically invulnerable against any or all other powers." The despatch called upon the British Government for a definite answer to the question whether it would or would not submit the controversy in its entirety to arbitration.

A Strong
Assertion of
the Monroe
Doctrine

Although the words of the American secretary "smacked of gunpowder," Lord Salisbury, the British foreign minister, was slow in replying. Doubtless he thought our Government was merely indulging in the popular performance of "twisting the tail of the British lion." Late in 1895, when his reply did come, he asserted that the Monroe Doctrine had no place in the law of nations, that the reasons for justifying an appeal to it were not applicable to the conditions that existed at the time, and that the interpretation given to it by the despatch of Olney was new and strange. Not being prepared to admit that the United States had a right to interfere in the matter, Salisbury refused to submit the case to arbitration. He soon learned that our Government meant something more than merely to beat the big drum. On December 17, 1895, President Cleveland requested Congress for authority to appoint a commission to make the necessary investigation, and, having ascertained the true boundary between British Guiana and Venezuela, to report upon the matter with the least possible delay."

"When such report is made and accepted," said the message, "it will in my opinion be the duty of the United States to resist by every means in its power as a wilful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela. In making these recommendations I am fully alive to the responsibility incurred and keenly realize all the consequences that may follow."

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The message was so unexpected and its implications were so frightful that public opinion for a moment was badly stampeded. Stocks tumbled, "jingoes" screamed, preachers thundered against war, editors cried aloud and spared not, some of them condemning the President for rashness but most of them supporting him in the strongest terms. There was really no very good reason for such intense excitement. It is true the President meant what he said; he had declared clearly and decisively that under a stated contingency war would be certain. "He was not bluffing, for he was prepared to meet the call; but he did not expect to be called." He knew rather well that when it came to a pinch England would not change her long-established policy and run counter to the Monroe Doctrine. He knew, too, that at this very time there were so many situations in the Old World foreboding danger to England that she could be relied upon to avoid a conflict with the most powerful nation in the New World. At any rate, the countries were spared the horrible consequences of war. The British Government not only refrained from trying conclusions with America but actually assisted in bringing about an amicable settlement. When the commission which Cleveland asked for, and which Congress promptly authorized, expressed the hope that the British Government would see its way to aid in the investigation, Great Britain responded in a friendly fashion and placed valuable information in its archives at the disposal of the commissioners. Apprehension of a break was now dispelled. Before the commission made its final report Great Britain and the United States had reached an agreement which provided for the settlement of the whole controversy by arbitration. The decision of the tribunal to which the controversy was referred gave a large part of the disputed area to Great Britain. "The award," says J. H. Latané, "was a matter of secondary importance. The principle for which the United States

An
Amicable
Settlement

contended was vindicated when Great Britain agreed to arbitrate. It was a great triumph of American diplomacy to force Great Britain just at this time to recognize in fact, if not in words, the Monroe Doctrine."

THE WILSON TARIFF

In the same message in which President Cleveland in December, 1893, first called the attention of Congress to the Venezuela dispute, he touched upon the tariff as follows: "After a hard struggle tariff reform is directly before us. Nothing so important claims our attention and nothing so clearly presents itself as both an opportunity and a duty—an opportunity to deserve the gratitude of our fellow-citizens and a duty imposed upon us by our oft-repeated professions and the emphatic mandate of the people. Manifestly, if we are to aid the people directly through tariff reform one of its most obvious features should be a reduction in present tariff charges upon the necessities of life. The benefits of such a reduction would be palpable and substantial, seen and felt by thousands who would be better fed and better clothed and better sheltered. . . . A measure has been proposed by the appropriate Congressional committee embodying tariff reform on the lines herein suggested. It is the result of patriotic and unselfish work."

The measure referred to was the tariff bill reported to the House in December, 1893, by William L. Wilson of West Virginia, chairman of the Committee on Ways and Means. This bill was framed with the view of fulfilling the pledges made by the Democrats in their platform in 1892. As introduced in the House the Wilson Bill was a genuine measure of reform. "It proceeded upon the principle that the raw materials of manufacture ought for the most part to be entirely freed from duty; that there should be throughout the whole list of dutiable articles as considerable a reduction of duties as a prudent regard for vested interests would permit; and that duties should be *ad valorem* rather than specific in order that the burden might in every case be calculable."¹ While the bill proposed some important remissions of duty and many substantial reductions, it was by no means a radical measure when tested by the promises made by Democratic orators in 1892. The magnificent language of the stump is not always easily transmutable into the cold phraseology of the statute. "We know," said Chairman

¹ Woodrow Wilson, "A History of the American People"; Vol. V, p. 228.

Wilson when introducing the bill, "that not all who march bravely in the parade are found in line when the musketry begins to rattle. This is always the case. Reform is beautiful upon the mountain-top or in the clouds, but oftentimes very unwelcome as it approaches our own threshold." The bill as it came from the House placed on the free list sugar, iron ore, lumber, coal, and wool, while the excessively high duties imposed by the McKinley Act on such articles as silks, cottons, woollens, and glass were reduced.

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XXXI

One of the clauses of the proposed bill provided for an income tax of 2 per cent upon all incomes in excess of \$4000. It was thought that this tax would be necessary to make up the deficiency that would be caused by the reduced tariff schedules. This income tax clause was popular in the South and West, but in the East it was denounced on the ground that it was class legislation, that it was socialistic, that it was unjust and unfair. To meet the charge that it was unjust, the well-known dictum of Adam Smith was quoted: "The subjects of every state ought to contribute to the support of the government as nearly as possible in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state." It was urged that an income tax would have a tendency to drive the rich out of the country. "But whither will these people fly?" asked Bryan, always a stout champion of the income tax. "If their tastes," he said, "are English, and they stop in London, they will find a tax of more than 2 per cent assessed on their incomes; if they look for a place of refuge in Prussia, they will find an income tax of 4 per cent; if they search for seclusion among the mountains of Switzerland, they will find an income tax of 8 per cent; if they seek repose under the sunny skies of Italy, they will find an income tax of more than 12 per cent; if they take up their abode in Austria they will find a tax of 20 per cent. I repeat, whither will they fly? . . . There is not a man whom I would charge with being willing to expatriate himself rather than contribute from his abundance to the support of the Government that protects him."

The Income
Tax Clause

The Wilson Bill passed the House in virtually the same form in which it was reported by the committee, but in the Senate it suffered disastrous mutilations, for the Senate was now dealing with revenue measures in a way that would have astounded statesmen in the early days of the republic. It was the expectation of the framers of the Constitution that the House would have complete control

The Senate
Destroys the Char-
acter of the
Measure

over the nation's taxes. "The House of Representatives," said James Madison in "The Federalist," "holds the *purse*." But the expectation of the framers was not to be realized. Gradually the Senate by using its power of amendment acquired more and more influence in shaping revenue measures until at last it came to have no doubts as to its competency to deal with tax bills on equal terms with the House. It accordingly took the Wilson Bill and clipped it and trimmed until its original character was entirely destroyed. Under the leadership of Senator Gorman of Maryland, coal, iron ore, and sugar were taken off the free list, the rates on many articles were raised, and specific duties again took the place of *ad valorem* duties. In all, 634 changes were made in the House measure.

The action of the Senate on the sugar schedule gave rise to a memorable scandal. During the progress of the debate on the bill there were rumors that a group of senators was manipulating the rates on sugar with the view of making a profit out of Sugar Trust certificates in which they were said to be speculating. The rumor gained in credence from the fact that during the entire time the bill was pending in the Senate officers of the Sugar Trust were in Washington conferring with senators and committees. An investigation led to startling disclosures. Senator Quay of Pennsylvania frankly admitted that he had speculated in sugar and that he had done so while the Senate was engaged in fixing the schedules. In the course of the investigation H. O. Havemeyer, the president of the Sugar Trust, was asked if his company contributed to the campaign funds of both parties. "Yes," he replied, "we always do that. In the State of New York, where the Democratic majority is between 40,000 and 50,000, we throw it their way. In the State of Massachusetts, where the Republican party is dominant, they probably have the call. Wherever there is a dominant party, wherever the majority is very large, that is the party that gets the contribution, because that is the party which controls local matters." This dividing of money between the two parties, Havemeyer went on to say, was the practice of "every corporation and firm and trust." The investigation served a useful purpose in showing how rotten things were in Denmark, but further than this it accomplished nothing. In the Senate the trusts had their way. By the time the Wilson Bill reached the President it was such a travesty of reform that he refused to sign it; although he allowed it to be-

come a law without his signature, giving his reason for doing so in a letter to Representative Catchings of Mississippi. In this letter the President's disgust and disappointment at the outcome of his party's efforts for tariff reform were expressed in angry words:

Tariff reform will not be settled until it is honestly and fairly settled, in the interest and to the benefit of a patient and long-suffering people. . . .

I take my place with the rank and file of the Democratic party . . . who are not blinded to the fact that the livery of Democratic tariff reform has been stolen and worn in the service of Republican protection; and who have marked the places where the deadly blight of treason has blasted the councils of the brave in their hour of might. The trusts and combinations—the communism of pelf—whose machinations have prevented us from reaching the success we deserved, should not be forgotten nor forgiven.

One of the reasons why President Cleveland refrained from using the veto against the Wilson Bill was that it provided for an income tax. But this, the best of its features, was soon eliminated. Congress imposed the income tax in the belief that it was constitutional, for in 1880 the Supreme Court had decided that an income tax on rents *is not* a direct tax within the meaning of the Constitution, but an excise tax. The constitutionality of the new tax was promptly challenged, however, and powerful legal talent was employed to secure a decision that would prevent its collection. In the case of *Pollock v. Farmers' Loan & Trust Co.* such lawyers as James C. Carter and Joseph H. Choate appeared before the Supreme Court to show that an income tax *is* a direct tax. If this could be shown the income tax provision of the Wilson Act would be of no effect, for it did not apportion the tax among the several States according to their respective numbers, as the Constitution provides direct taxes must be apportioned. The assault upon the law was successful; in May, 1895, by a vote of five to four the Supreme Court decided that the income tax as imposed by the Wilson Law *was* a direct tax and was therefore unconstitutional. Thus the court reversed itself and the income tax law of 1894 became a dead letter. Inasmuch as the reversal was due to the fact that Justice Shiras changed his mind almost overnight, the decision could not escape being interpreted as a revelation of the court's fickleness and uncertainty of judgment. No decision since the *Dred Scott* Case had offended such a large body of public sentiment.

The protest of those who wanted an income tax and who were disappointed in the decision found a partial expression at least in the words of Justice Harlan, who in a dissenting opinion said: "The practical effect of the decision to-day is to give certain kinds of property a position of favoritism and advantage inconsistent with the fundamental principles of our social organization, and to invest them with power and influence that may be perilous to that portion of the American people upon whom rests the larger part of the burdens of government and who ought not to be subjected to the dominion of aggregated wealth any more than the property of the country should be at the mercy of the lawless."

1896

The Supreme Court was not allowed to have the last word on the income tax. In less than a year after its decision was rendered the question was taken to the people and became a theme for discussion in one of the most bitter and exciting struggles in all our history. Next to the contest of 1860, the campaign of 1896 was the most momentous of all our political battles. Conditions for a big fight could hardly have been more favorable. The country was still suffering from the effects of the Panic of 1893; organized labor was seething with unrest; the champions of free coinage were challenging their adversaries to mortal combat; between the rich and the poor, between the millionaires and the lower and middle working classes, there was a gulf that was growing wider and deeper; between the East and the West there was arising a sectionalism produced by the relation of creditor and debtor; throughout the great West there was a popular ferment that resembled hysteria.

At the opening of the campaign the public mind was in such a state of agitation that the politicians despaired of finding their bearings, and the leadership of both parties was torn with dissension. Upon one thing, however, there was great unanimity of opinion: everybody believed that the Democrats would be defeated. The Democratic party was surely in a sad plight. It was divided into a silver faction and a gold faction; it was discredited by the Wilson-Gorman Tariff and the bond sales; it was suffering from the rupture which existed between the President and Congress; it was execrated in labor circles because of the use which Cleveland had made of the injunction in the Pullman strike; worse than all,

it was being held responsible for four years of financial and industrial distress. The party was not only demoralized but it was leaderless. At the beginning of the campaign it did not have in sight a single available candidate of commanding ability. As for the man who was its titular leader, no former President, not even John Quincy Adams, had ever been so intensely unpopular as Grover Cleveland was in 1896.

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The Republicans therefore entered the campaign in boastful mood. They could elect, they said, a yellow dog. Their confidence, however, was due to the weakness of their adversaries rather than to their own strength, for there was abundant trouble in the Republican camp. The silver issue, like the slavery issue before it, was splitting everything, and the Republican party did not escape fissure. On the silver question, although it overshadowed all others, the Republican leaders at first were disinclined to take a definite stand and say what they meant. For example, the Ohio Republican State convention, which was the first to meet in 1896, resolved that all our currency be "sound as the Government and as untarnished as its honor," and that both metals be used as currency and kept at parity by legislative restrictions. Ordinarily such an utterance would have passed muster, but in 1896 the people were in no mood to be put off with ambiguous nonsense. Advocates of the gold standard wanted a platform that should say gold, and the silverites wanted one that should say silver. In many instances, therefore, the State Republican conventions were constrained to adopt resolutions that were not evasive. In ten States the declaration was for free silver. In only a few States did conventions declare in explicit terms in favor of a single gold standard. In the early stages of the campaign, therefore, the Republicans, hardly knowing whether they were for free silver or against it, were as much at sea on the paramount issue as were the Democrats. Nor was their position in respect to leadership much better, for after the death of Blaine in 1893 the Republican party had been without a head.

Trouble
in the
Republican
Camp

At an opportune moment, however, Marcus A. Hanna, a Republican of Ohio, came forward and assisted his party in resolving its doubts on the money question and in choosing a leader. Hanna was a prosperous business man who for many years had been taking an active part in politics. For a long time his interest in public affairs had been manifested chiefly in helping the political fortunes

Marcus A.
Hanna

of other men. His ambition was to make a President, and his first efforts in this direction were made in behalf of John Sherman. Failing with Sherman, he turned to William McKinley, for whom he entertained a devoted and sincere friendship. He began to coach McKinley for the Presidency in Harrison's time, and by 1896 he was working with all his energy and was spending money lavishly for the nomination of the Ohio man. The event showed that the energy was not misspent and that the money was skilfully used. When the Republican convention met at St. Louis in June McKinley was nominated by an overwhelming vote on the first ballot. Next to McKinley, Thomas B. Reed of Maine was the most prominent of the avowed candidates for the nomination, but the "czar" received only eighty-four votes against 661 for his successful rival.

The chief task before the convention, however, was not the nomination of a candidate, for the choice of McKinley had been virtually decided in advance. The thing that puzzled the leaders was the construction of the platform. What would the platform say about the money question? Would it "straddle," or would it come out squarely against free coinage and in favor of the gold standard? It was soon found that the temper of the convention was against a straddle. McKinley was willing to stand for gold, but his record on the subject had been almost as tortuous and inconsistent as a record could be. He had voted for a free-silver bill in 1877, for the Bland-Allison Act in 1878,¹ and for the passage of the act over President Hayes's veto. He had advocated the passage of the Sherman Silver Act of 1890,² intimating that he would support a free-coinage measure, if it should be possible to pass one. In 1891 on the stump in Ohio he denounced free coinage. During the months immediately preceding the convention he was discreetly silent. Hanna was an out-and-out gold man, but he did not press the issue until he was certain that his friend would receive the nomination. Then he came out for gold and the following plank was adopted: "The Republican party is unreservedly for sound money . . . we are therefore opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard

¹ See p. 570.² See p. 630.

must be preserved." The silver delegates in the convention tried to secure the adoption of a substitute plank but were defeated by a vote of 818 to 105. Thereupon Senator Cannon of Utah read a formal declaration of withdrawal from the convention on the part of the delegates from the silver States. The bolters, thirty-four in number, included Senator Henry M. Teller of Colorado and three other senators. "Teller and Cannon," said a spectator of the proceedings, "shook hands with the chairman and walked down the main aisle. Teller was weeping. Tears stood in Cannon's eyes. One by one Dubois, Pettigrew, Hartman and the others joined in the procession." Thus Hanna with all his talent for management was unable to hold the silver men in line.

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XXXI

If the Republican party was split by the silver question, the Democratic party was shattered by it. But there was no doubt where the party stood: it was for free silver. This was made perfectly plain by the action of the thirty-three State conventions which passed resolutions approving the free coinage of gold and silver at a ratio of sixteen to one, while only ten States declared for the gold standard. When the Democratic convention assembled in Chicago in July, it was dominated completely by the silver wing of the party. The majority, however, had to face the determined opposition of a powerful minority led by such masterful politicians as Gorman and Whitney and Hill. Moreover, the silver delegates were not well organized and they had no visible leader. "The silverites," said a correspondent of "The New York World," will be invincible if united and harmonious; but they have neither machine nor boss. The opportunity is here; the man is lacking." But the silverites were not in such a hopeless predicament after all. They had the man even though they were not aware of his presence. Besides, their concentration of purpose and clearness of aim supplied the place of a machine. The silverites knew precisely what they wanted to do, and they had their will in the convention from first to last. At the very outset when the national committee selected Senator Hill, a gold man, for temporary chairman the convention voted him down and elected Senator Daniel of Virginia, a silver man. On the third day the committee on resolutions brought in a platform containing a plank demanding "the free and unlimited coinage of gold and silver at the present legal ratio of sixteen to one without waiting for the aid and consent of any other nation." A minority report was presented by Senator Hill,

The
Democratic
Party
Shattered

declaring for international bimetallism and commending the Cleveland administration. During the debate on the majority and minority reports William J. Bryan, one of the delegates, made a speech which, measured by its consequences, direct and indirect, was the most notable utterance delivered by an American between Lincoln's first inaugural address and Wilson's war speech before Congress on April 2, 1917. Mr. Bryan said in part:

I should be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened, if this were a mere measuring of abilities; but this is not a contest between persons. The humblest citizen in the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in defense of a cause as holy as the cause of liberty—the cause of humanity. . . .

It is not a question of persons; it is a question of principle; and it is not with gladness that we find ourselves brought into conflict with those who are now arrayed upon the other side. . . . When you [turning to the delegates] come before us and tell us that we are about to disturb your business interests, we reply that you have disturbed our business interests by your course.

We say to you that you have made the definition of a business man too limited in its application. The man who is employed for wages is as much a business man as his employer. The attorney in a country town is as much a business man as the corporation counsel in a great metropolis. The merchant at the crossroads store is as much a business man as the merchant of New York. The farmer who goes forth in the morning and toils all day—who begins in the spring and toils all summer—and who, by the application of brain and muscle to the natural resources of the country, creates wealth, is as much a business man as the man who goes upon the board of trade and bets upon the price of grain. The miners who go down a thousand feet into the earth, or climb two thousand feet upon the cliffs, and bring forth from their hiding-places the precious metals to be poured into the channels of trade, are as much business men as the few financial magnates who, in a back room, corner the money of the world. We come to speak for this broader class of business men. . . .

We do not come as aggressors. Our war is not a war of conquest; we are fighting in the defense of our homes, our families, and posterity. We have petitioned, and our petitions have been scorned. We have entreated, and our entreaties have been disregarded. We have begged, and they have mocked when our

calamity came. We beg no longer; we entreat no more; we petition no more. We defy them! . . .

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You come to us and tell us that the great cities are in favor of the gold standard. We reply that the great cities rest upon our broad and fertile prairies. Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms, and the grass will grow in the streets of every city in the country. . . .

We go forth confident that we shall win. Why? Because upon the paramount issue of this campaign there is not a spot of ground upon which the enemy will dare to challenge battle. If they tell us that the gold standard is a good thing, we shall point to their platform and tell them that their platform pledges the party to get rid of the gold standard and to substitute bimetallism. If the gold standard is a good thing, why try to get rid of it? I call your attention to the fact that some of the very people who are in this convention to-day and who tell us that we ought to declare in favor of international bimetallism—thereby declaring that the gold standard is wrong and that the principle of bimetallism is better—these very people four months ago were open and avowed advocates of the gold standard, and were then telling us that we could not legislate two metals together, even with the aid of all the world. If the gold standard is a good thing, we ought to declare in favor of its retention and not in favor of abandoning it; and if the gold standard is a bad thing, why should we wait until other nations are willing to help us let go? Here is the line of battle, and we care not upon which issue they force the fight. We are prepared to meet them on either issue or on both. . . .

It is the issue of 1776 over again. Our ancestors when but three millions in number had the courage to declare their political independence of every other nation. Shall we, their descendants, when we have grown to seventy millions, declare that we are less independent than our forefathers? No, my friends, that will never be the verdict of our people. Therefore, we care not upon what lines the battle is fought. If they say bimetallism is good, but that we cannot have it until other nations help us, we reply that, instead of having a gold standard because England has, we will restore bimetallism, and then let England have bimetallism because the United States has it. If they dare to come out into the open field and defend the gold standard as a good thing, we will fight them to the uttermost. Having behind us the producing masses of this nation and the world, the laboring interests, and the toilers everywhere, we will answer their demand for a gold standard by

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saying to them: You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold!

Bryan
Nominated

The substitute money plank offered by Senator Hill and the resolution commending the administration were voted down, and the platform containing the free silver plank was adopted. The convention was then ready to name a candidate, but it deferred action until the next day. It was the judgment of observers that Bryan could have been nominated at the conclusion of his speech if he had been willing to allow the regular order of proceedings to be overruled. He was reported, however, to have said: "If my boom will not last till to-morrow, it certainly would wilt before election day." On the morrow he was nominated on the fifth ballot. The delegates who favored the gold standard—about 160 in number—showed their disapprobation by refusing to vote.

Gold
Democrats

The nomination of Bryan was warmly received in the South and West, but in the East it brought consternation to all conservative Democrats. "Are you still a Democrat?" Senator Hill was asked upon his return from the convention to New York. "Yes, I am a Democrat, still," he replied, "*very still*." To thousands of gold Democrats the free-silver pill was too bitter to swallow. There was accordingly organized what was called the National Democratic party, which held a convention at Indianapolis, repudiated the action of the Chicago convention, and nominated John M. Palmer of Illinois. The nomination, however, was not made with the expectation of victory. Palmer was put up so that those Democrats who were opposed to free silver and could not in conscience vote for a Republican might have a man for whom they could cast their ballots. The defection of the gold Democrats was more than counterpoised by the accession of the Populist vote. On July 25 thirteen hundred delegates representing the Populists met in convention at St. Louis and endorsed the nomination of Bryan. Thus the question that politicians had been asking so anxiously in 1892¹ was answered: the virile and rapidly growing Populist party was absorbed by the Democrats.

The Money
Question
Forced to
the Front

The nominations were no sooner made than the canvass for votes began, and soon the country was stirred to its depths by the appeal that was being made to the electorate. McKinley, as the high priest

¹ See p. 640.

of protection, would gladly have made the tariff the chief issue in the campaign; but Bryan forced the fighting on the money question. The Republican "candidate instead of running on an issue with which his whole political career was associated was forced to run on an issue upon which his own record was equivocal, and which in his opinion gravely compromised the success of his candidacy." Once he had accepted the money question as the leading issue, however, McKinley defended the gold standard with ability and courage. Remaining at his home in Canton he received thousands of visitors from all parts of the country and addressed them in speeches that were useful discussions of the dominant issue. Bryan toured the country, traveling a distance of more than thirteen thousand miles, reaching twenty-nine States, and addressing perhaps 5,000,000 persons. "The candidate of the Democrats," says Woodrow Wilson, "made a gallant figure wherever he moved. . . . To the excited crowds that pressed about him he seemed a sort of knight errant going to redress the wrongs of a nation. There could be no mistaking his earnestness or his conviction or the deep power of the motives to which he appealed. His gifts were those of the practised orator, his qualities those of the genuine man of the people. His strong, musical voice carried his message to the utmost limits of any throng and rang in a tone that warmed men's blood."

For a while the Republicans seemed to think they could win the election simply by calling names. In almost every important journal in the land, whether Republican or Democratic—for nearly all the leading Democratic papers went over to the side of the Republicans,—Bryan was rained upon with abuse and held up to scorn and ridicule. He was a "cheap demagogue," a "blatherskite," a "wind-bag," an "anarchist," and everything else in the dictionary of invective. The more responsible and dignified the newspaper the more irresponsible and undignified, it would seem, was the language it used. For example, the New York "Evening Post" had this to say about Bryan's speech at Chicago: "The Chicago convention yesterday evolved its chief demagogue in the person of William J. Bryan, of Nebraska, who took the mob of repudiators off their feet by a speech of forty-blatherskite power." Very soon indeed level-headed men saw that this kind of thing would not do; that the thing that would beat Bryan was not defamation but education. The "Post" itself quickly saw the

Calling
Names

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Collection
Funds
for the
Campaign

light and changed its tune. "What is needed," it now said, "is a campaign of elementary education."

A campaign of education was accordingly decided upon. Plans were laid for a Republican propaganda that should penetrate, if necessary, into every election precinct in the country. Of course a vast amount of money would be necessary for such an undertaking. Here it was that the genius of Hanna could assert itself. As he had had large experience as a collector of campaign funds, he knew how to get the money that was needed. "Appeals," says Herbert Croly,¹ "were made to banks and business men, irrespective of party affiliations, to come to the assistance of the National Committee. Responsible men were appointed to act as local agents in all fruitful neighborhoods for the purpose both of soliciting and receiving contributions. In the case of the banks a regular assessment was levied, calculated, I believe, at the rate of one-quarter of one per cent of their capital, and this assessment was for the most part paid. It is a matter of public record that large financial institutions, such as the life insurance companies, were liberal contributors. The Standard Oil Company gave \$250,000." Thus the country was gone over as with a fine-tooth comb. The sum raised amounted to several millions of dollars and was vastly in excess of the funds collected in any previous campaign. Campaign expenditures in 1888 and again in 1892 had been excessive, but in 1896 the outlay was so tremendous that the country learned for the first time what money could really do in a national election.

"The
Campaign
of Educa-
tion"

The country for the first time learned, also, what propaganda could do. The campaign of education was carried forward with the same thoroughness that was displayed in the collection of the funds. Hundreds of millions of documents were sent out to carry the doctrines of sound money into every nook and corner of the nation. Thousands of campaigners were employed to go hither and thither and explain to the people what the free coinage of silver meant. The market price of the metal in a silver dollar in 1896 was about sixty-nine cents; that is, one hundred silver dollars when melted contained enough silver to buy sixty-nine gold dollars. Since this was so, the Republicans contended that under the plan proposed by the Democrats debts would always be paid in silver; if a man owed one hundred dollars he would take sixty-nine dollars in gold, buy silver with it, get it coined into one hundred silver

¹ "Life of Marcus Alonzo Hanna": p. 220.

dollars, and pay his debt. The Democrats endeavored to meet this argument by pointing out that the enormous demand for silver under a free-coinage law would greatly raise the market value of the white metal. The Republican orators, denying the validity of this contention, went on to picture the disasters that would flow from the free coinage of silver: silver being the cheaper metal, nothing but silver would be used and gold would be driven out of circulation; the flood of silver would cause prices to rise and as they rose the value of fixed incomes, insurance policies, deposits in savings-banks, mortgages, and other evidences of debt would fall;

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the substitution of silver for gold as a payment of debt would mean repudiation and would bring disgrace and dishonor upon the name of the nation.

It was a campaign of argument, and argument won; the majority of voters were convinced that the free coinage of silver at the ratio of sixteen to one would do the country more harm than good. When the smoke of battle cleared away it was found that McKinley had received 271 electoral votes and that Bryan had secured 176. Of the popular vote McKinley got 7,111,607, and Bryan 6,502,600. The Republicans were victorious but they knew that they had been in a fight. Never before had a Presidential candidate of any party received so great a vote as had been cast for Bryan. In California, Oregon, Kentucky, Indiana, North Dakota, and West Virginia the

McKinley
Elected

election was so extremely close that a properly distributed change of a total of 25,000 votes in these States would have given the Democrats a majority in the electoral college.

Bryan took his defeat like a philosopher. When at his home in Lincoln on election night the messages were coming in bringing news that he did not want to hear, "confidence resolved itself into doubt and doubt in turn gave place to resignation." As soon as he was certain of his defeat he telegraphed to his successful rival: "I hasten to extend my congratulations. We have submitted the issue to the American people and their will is law." McKinley wired in reply: "I acknowledge the receipt of your courteous message of congratulations with thanks and beg that you will receive my best wishes for your health and happiness."

Malediction

Courtesy and good manners, however, did not prevail all around. Bryan had given the financial interests of the country a shock of great severity. Every man with a dollar had been frightened. "Probably no man," said "The Nation" at the close of the campaign, "has succeeded in inspiring in civil life so much terror without taking life, as Bryan." Moreover, in his speeches he had hurt the feelings of large classes of men connected with what Cleveland called the "communism of pelf." By the time the campaign was over the Democratic candidate was so hated and so feared that in many quarters there was no disposition to forgive him or even treat him with respect. On the contrary, in some cases malediction was louder after the election than before it. By way of illustrating the ferocious attitude of the press toward Bryan after the election, historians of the period are fond of quoting the following passage from the "New York Tribune":

The thing was conceived in iniquity and was brought forth in sin. It had its origin in a malicious conspiracy against the honour and integrity of the nation. It gained such monstrous growth as it enjoyed from an assiduous culture of the basest passions of the least worthy members of the community. It has been defeated and destroyed because right is right and God is God. Its nominal head was worthy of the cause. Nominal, because the wretched, rattle-pated boy, posing in vapid vanity and mouthing resounding rottenness, was not the real leader of that league of hell. He was only a puppet in the blood-imbued hands of Altgeld, the anarchist, and Debs, the revolutionist, and other desperadoes of that stripe. But he was a willing puppet, Bryan was,—willing and eager. Not

one of his masters was more apt than he at lies and forgeries and blasphemies and all the nameless iniquities of that campaign against the Ten Commandments. He goes down with the cause, and must abide with it in the history of infamy. He had less provocation than Benedict Arnold, less intellectual force than Aaron Burr, less manliness and courage than Jefferson Davis. He was the rival of them all in deliberate wickedness, and treason to the Republic. His name belongs with theirs.

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Suggested Readings

Hard times and free silver: Haworth, pp. 206-231.

1896: Lingley, pp. 350-376; Stanwood, Vol. I, pp. 518-569.

The Wilson Tariff: Taussig, pp. 284-320.

The Panic of 1893: Van Metre, pp. 475-501.

XXXII

TAKING A HAND IN OLD-WORLD AFFAIRS

FOR nearly a hundred years the United States, taking heed of the warnings of Washington and Jefferson against entangling alliances, held a place to itself far apart from the other countries of the globe. It maintained friendly relations with the nations of the Old World and traded with them, but outside of this it had little to do with them. In the very last years of the nineteenth century, however, this policy of "splendid isolation" was abandoned. We were compelled to abandon it. Events brought us into touch with distant countries in a way that made it necessary for us to mingle with other nations and assume a responsible position among the great powers of the world.

THE DINGLEY BILL

A Popular
President

No matter how bitter a Presidential campaign may be, the successful candidate is likely to enter the White House with the best wishes of virtually the whole body of the American people. This was certainly true in the case of President McKinley. Notwithstanding the asperities of 1896 he enjoyed popularity from the beginning. His personal qualities were such as to make him a popular favorite. He could make a good speech; his manner was kindly and genial; he mingled with men and made friends. His instincts were those of a genuine democrat. He always held his ear close to the ground so as to be able to respond to the popular impulse, for he felt that the people were his masters and that he must do their will. He was popular, too, because he was looked upon as the "advance agent of prosperity." During the campaign the people had been taught that, if elected, he would bring back good times, and he had hardly more than taken his seat than, lo and behold! the clouds of adversity began to break and there was a dawn of renewed prosperity.

In the selection of his cabinet McKinley would gladly have chosen Hanna for one of the places, but the friend to whom he owed so much desired a seat in the Senate. It turned out that this could be arranged. Senator John Sherman of Ohio was named as secretary of state, and Hanna was appointed by the governor of Ohio to fill the vacancy thus created in the Senate. The new secretary of state was a man of seventy-four, and he was so infirm that he soon had to be replaced by William R. Day of Ohio. In about a year Day retired and John Hay became the premier of the administration.¹ It was freely charged that McKinley was aware that Sherman was physically and mentally unfit for the duties of secretary of state and that Sherman was appointed simply for the purpose of advancing Hanna. Hanna's leading biographer, Herbert Croly, does not concede the truth of this accusation. "The appointment," says Croly, "commended itself to Mr. McKinley as one that from many points of view was extremely desirable. Mr. Sherman was, in 1897, if not the most eminent living American statesman, at least the statesman with the longest record of useful public service. His name carried more weight than that of any other political leader."

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Hanna in
the Senate

It could be expected that the new administration would move along smoothly, for in both branches of Congress the Republicans were in full control. Besides, in the Senate the powerful Hanna could be relied upon for guidance and support. The first thing taken up was tariff revision. The campaign had been fought out on the currency question and there were those who maintained that the first duty of Congress and the President was to reform the monetary system. But McKinley was still timid on the free-silver question. There was a very good reason why he should hesitate during the first half of his term to ask Congress for a gold-standard law: the Senate still contained such a strong silver element that it was likely that a gold-standard bill would have been voted down. He therefore ignored the money question, which could not have been touched without producing dissension and bad feeling, and decided to begin with the tariff. Calling Congress together in

Silver
Pushed
Aside for
the Tariff

¹ The other members of McKinley's cabinet were: Lyman J. Gage of Illinois, secretary of the treasury; Russell A. Alger of Michigan, secretary of war; Joseph McKenna of California, attorney-general; J. A. Gary of Maryland, postmaster-general; J. D. Long of Massachusetts, secretary of the navy; C. N. Bliss of New York, secretary of the interior; James Wilson of Iowa, secretary of agriculture.

extra session on March 15, he said in a mesasge: "I feel that your assembling in extraordinary session is indispensable because of the condition in which we find the revenues of the Government. . . . Current expenditures are greater than its receipts. Congress should promptly correct the existing condition. . . . In raising revenue, duties should be so levied upon foreign products as to preserve the home market, so far as possible, to our own producers; to revive and increase manufactures; to relieve and encourage agriculture; to increase our domestic and foreign commerce; to render to labor in every field of useful occupation the liberal wages and adequate rewards to which skill and industry are justly entitled." The President, therefore, wanted a tariff that would care for the deficit—which was quite generally attributed to the workings of the Wilson Law—and that would please the manufacturers, who were again clamoring for the restoration of the old highly protective duties. That the National Treasury was in a bad condition was true, but in this connection two things ought to be remembered: first, that the deficit appeared and was greatest during the years in which the McKinley Law of 1890 was in force; and, secondly, that the revenues under the workings of the Wilson Law by 1897 were increasing and were almost certain to be sufficient in a short time for the needs of the Government.

The new tariff bill was brought into the House by Chairman Nelson Dingley three days after the session began. Under the iron rule of Speaker Reed, the measure was railroaded through in less than two weeks. Only a small part of it was considered, 141 of the 163 pages not even being taken up for discussion. In the Senate its progress was slower, for here the particular interest of this or that class had to receive attention. Some 872 amendments were made in the upper branch, and by the time the bill reached enactment in July, 1893, the handicraft of Dingley had become scarcely recognizable. The new law pushed the protective principle further than ever before. The rates on sugar, woolen goods, silks, linens, and on some of the manufactures of iron and steel were increased. In the Wilson Law an attempt had been made to carry out the theory of relieving the raw materials of manufactures from duty. The Dingley Law repudiated this theory by restoring wool, flax, lumber, hides of cattle, and many chemicals to the dutiable list. The principle of reciprocity which had been a feature of the McKinley Bill was incorporated in the new law: the President was empow-

ered to conclude treaties providing for reductions as great as 20 per cent in return for commercial concessions from other countries, the reciprocity arrangements to be made within two years of the passage of the law and to be ratified in all cases by the Senate. Nothing of importance, however, in the way of reciprocity was ever accomplished by virtue of the Dingley Act.

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No tariff measure, perhaps, was ever more roundly denounced than the Dingley Act, and yet no law ever gave greater strength to the cause of protection or did more to improve the fortunes of the political party that was responsible for its passage. It proved to be a good revenue producer and after its enactment prosperity was widespread. It is not at all clear, however, that the new tariff brought the good times, for the prosperity of those days was world wide. Nevertheless the Republican stump speakers were fond of pointing to the Dingley Act as the source of most of the country's blessings, and to the minds of a majority of the American people the stump speakers were right. The law gave such general satisfaction that it was allowed to remain on the books for twelve years.

The Work-
ings of the
Dingley Act

The workings of the protective system under the Dingley Tariff may be fairly well learned from the following table, which shows for the year 1903 the importation value of twelve leading classes of articles, the amount of duty collected on each class of commodities, and the rate of duty:

Articles	Value	Duties Collected	Percentage of Duty
Sugar	\$64,807,224	\$63,214,744	97
Wool, raw	21,358,030	11,631,041	54
Woolen goods	19,302,006	17,564,694	91
Cotton goods	51,706,978	27,758,625	53
Tobacco	18,298,780	21,892,109	119
Silk goods	36,047,873	19,276,546	63
Iron and steel goods	33,385,663	12,652,042	37
Goods made of fibers and grasses...	41,294,963	15,811,703	38
Liquors	15,622,835	11,210,497	51
Drugs and dyes	24,162,545	6,604,476	27
Stone and chinaware	10,534,041	6,153,463	58
Fruits and nuts	12,924,825	5,693,924	44
	\$349,445,763	\$219,463,864	

THE WAR WITH SPAIN

Congress had hardly finished the Dingley Bill before it was called upon to deal with a serious situation existing on the island of Cuba. We have already learned of the trouble we had with

The Cuban
Disturb-
ances

Spain during the revolt of the Cubans in Grant's time.¹ In 1895 the Cubans revolted again, and again the United States became involved. In June, 1895, shortly after the revolution broke out, President Cleveland issued a proclamation warning Americans against taking part in the insurrection. Notwithstanding this proclamation, illegal expeditions, fitted out in the United States, landed upon the shores of Cuba carrying aid to the revolutionists. In 1896 Cleveland in his annual message, after discussing the Cuban situation at length, said: "When the inability of Spain to deal successfully with the insurgents has become manifest and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge." These words, written by Cleveland when his administration was rapidly drawing to a close, foreshadowed exactly the situation which was to confront his successor. When McKinley came to deal with Cuban affairs Spain's inability to put down the insurgents had been demonstrated, and the struggle had degenerated into a useless destruction of life and property. So far was this true that Americans could no longer condone the cruel measures to which Spain resorted in her efforts to crush the insurrection. The barbarities of Valeriano Weyler, the general-in-chief of the Spanish forces, were so frightful that they aroused the anger of Americans as well as their sympathy. By the order of this ruthless commander all Cuban peasants who were in sympathy with the rebellion were to be gathered—"reconcentrated"—in towns occupied by regular troops. In carrying out this policy of "reconcentration," hundreds of thousands of helpless men, women, and children were penned up in towns "like cattle and were compelled to exist under conditions which no cattle could have endured."

President McKinley did not want to muddle the diplomatic waters by intervening in Cuban affairs, but the atrocities of Weyler made it impossible for him to keep out. In June, 1897, he protested

¹ See p. 550.

against the "reconcentration" order in the name of humanity and in the interest of American citizens who were all too frequently made the victims of Weyler's harsh measures. The protest was followed by a note to the Spanish Government tendering the good offices of the United States for the adjustment of Cuban affairs. In response Spain recalled Weyler and announced on November 7 that she would grant the Cubans self-government. This liberal policy could not be carried out, however, for the army and the Spanish citizens of the island did not want genuine autonomy, which would mean government by the Cuban people. The rebellion accordingly continued, and the relations between Spain and the United States grew worse and worse. In February, 1898, the battle-ship *Maine* was ordered to Havana. The despatch of the vessel was officially declared to be a friendly act, and she was received by the Spanish authorities in Havana with every outward mark of attention and respect; but her presence in Cuban waters was the cause of considerable irritation to the Spanish authorities. On February 9, while she was lying at anchor, the Dupuy de Lome letter became public. This was a surreptitiously acquired private letter written by Señor Dupuy de Lome, the Spanish minister at Washington, reflecting on President McKinley in language that was grossly disrespectful. The President was referred to as "a weak caterer to the rabble," and "a cheap politician who wishes to leave a door open to himself and to stand well with the jingoes of his party." The publication of the letter led to the resignation of de Lome and was the cause of much excitement both in Spain and the United States.

Presently the excitement was increased a hundredfold by an event which shocked the whole world. On the night of February 15, while the *Maine* was lying at her place in the harbor, an explosion occurred which utterly wrecked her and killed two officers and 258 of her crew. An examination made by a board of naval officers showed that the vessel had been destroyed by an exterior explosion, that of a submarine mine. The board, however, was unable to fix the responsibility upon any person or persons. Captain Sigsbee, the commander of the *Maine*, when telegraphing to Washington the news of his ship's destruction, added the words: "Public opinion should be suspended until further report." To an extent the public acted upon his advice, but when it was officially

announced on March 22 that the explosion had been caused by a mine there was an outburst of popular feeling that was all too ominous of war.

The President did not wish war, and sought earnestly to placate public opinion by finding some middle ground. But Congress wanted war, many newspapers wanted it, and the people seemed to be more than willing for it. Accordingly, giving way to the war party, the President sent to Congress on April 11 a message declaring that on grounds of humanity forcible intervention in Cuba was necessary. "I have exhausted," he said, "every effort to relieve the intolerable condition of affairs which is at our doors." Congress responded on April 19—the anniversary of the Battle of Lexington—by adopting the following resolutions:

First, That the people of the island of Cuba are and of right ought to be, free and independent.

Second, That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuban waters.

Third, That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States and to call into the actual service of the United States the militia of the several States to such extent as may be necessary to carry these resolutions into effect.

Fourth, That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

The passage of this resolution of course meant war. On April 24 the Spanish Government officially declared war against the United States. The same day Commander (afterward Admiral) George Dewey, who was at Hong-Kong with a squadron of the American navy, received from the Government at Washington the following cablegram: "War has commenced between the United States and Spain. Proceed at once to the Philippine Islands. Commence operations at once, particularly against Spanish fleet. You must capture vessels or destroy. Use utmost endeavors." On April 25 Congress formally declared war upon the kingdom of Spain. At

first it was thought that all the fighting would be on the sea, but as a matter of precaution President McKinley called for volunteer troops, since the regular army was too small for operations on a sufficiently large scale. A proclamation of April 23 called for 125,000 men; and two days later there was a call for 75,000 more. The country had been enjoying profound peace for more than a quarter of a century, but the response to the proclamations of the President showed that there was plenty of fighting spirit left. Before the end of May more than 120,000 recruits had been mustered in and were in training for active service. The volunteers came from all classes and from all parts of the country. Soldiers who in the Civil War had worn the gray came forward in the Spanish-American War to fight by the side of those who had worn the blue. A picturesque feature of the volunteer army was a cavalry regiment known as the "Rough Riders." This force consisted of several hundred cow-boys, hunters, ranchmen, Indians, and graduates of Harvard, Yale, and other colleges. Its colonel was Dr. Leonard Wood, an army surgeon. Its lieutenant-colonel was Theodore Roosevelt, who at the outbreak of the war resigned the position of assistant secretary of the navy to take an active part in the fighting.

When Dewey received his order from Washington he steamed out of Hong-Kong and proceeded with all possible speed to the Philippines. At daybreak on May 1 he was off Manila near enough to see the Spanish fleet, and a few minutes after five he was ready for action. Turning to Captain Gridley, the flag-officer of the *Olympia*, he quietly said: "You may fire when you 're ready, Gridley." Before high noon the Battle of Manila had been fought and won. The American ships were scarcely injured at all and not a single American was killed. On the Spanish side ten ships were destroyed, 381 men killed, and a considerable number wounded. Nothing could have been more sudden or unexpected than the news of the victory, which reached Washington on May 6, for the public knew little or nothing of Dewey's movements or of the instructions he had received. Yet it was news that thrilled the country; the American navy had won a decisive battle in waters far off on the opposite side of the globe. The eyes of the nation at once turned to the Orient, and "people who had to search closely on their maps in order to find the Philippine Islands were soon discussing glibly the commercial and strategic importance of the group."

The Battle
of Manila

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Philippines
Seized

As he had destroyed the Spanish fleet and thus executed the President's orders, Dewey, had he chosen to do so, might have sailed away from the Philippines at once and left them to their fate. He chose, however, to remain on the scene, and blockaded Manila with the view of taking it as soon as reinforcements could be secured. While waiting for the arrival of troops from home he was annoyed by the conduct of Admiral von Diederich, the commander of some war-ships which had been assigned for duty in Manila Bay for the purpose of protecting German interests in the city. Ships of several other neutral nations were present for the

same purpose. Great Britain had three men-of-war, France one, and Japan one. Germany, although her interests in the Philippines were negligible, had five—a naval force more powerful than the one commanded by Dewey himself. The commanders of the British, French, and Japanese vessels observed the proprieties of the blockade, but von Diederich disregarded them in such an offensive manner that he had to be brought up with a round turn. Dewey sent his compliments to the German commander informing him of his violations of the courtesies of naval intercourse and telling him



The Philippines

that if he wanted a fight he might have one at once. This brought von Diederich to his senses: he disavowed what had been done and thereafter observed the regulations of the blockade. At the end of June the reinforcements from the United States had arrived, and the Americans could now go ahead with their plans for capturing the city. On August 12 the land and naval forces under General Wesley Merritt made a joint attack upon Manila, and after a short fight the city surrendered. Thus the Philippine Islands, which had been held by Spain from the days of Magellan, were brought under the power of the United States.

While Dewey was strengthening his power at Manila, in the Caribbean there was war on land and sea. The fighting in Cuba

took place near Santiago. On May 19 a Spanish fleet under Admiral Cervera entered Santiago Harbor, where it was blockaded by an American fleet under Admiral W. T. Sampson. On June 3 Lieutenant Richard Hobson undertook to "bottle up" the Spanish fleet within the harbor. With several companions he conducted the coal-ship *Merrimac* to the narrowest place in the channel and there sank it. Hobson and his men were captured. In the meantime our land troops were gathering around Santiago. On July 1 El Caney and San Juan Hill, the outer defenses of Santiago, were assaulted by the Americans, and after two days' fighting they were carried by storm. In the struggle for these places distinguished service was rendered by the Rough Riders. When Cervera saw that Santiago was doomed, he sailed out of the harbor—he was not "bottled" up after all,—but he was not allowed to escape. His ships were attacked by the American fleet commanded by Admiral Sampson and within a few hours they were destroyed. In this engagement the American fleet was directed by Commodore W. S. Schley: the actual commander was absent, though not so far away as to be out of sight of the fighting. On July 16, soon after the destruction of Cervera's fleet, Santiago surrendered. On July 25 General N. A. Miles captured Porto Rico. Spain was now ready for peace and the Spanish-American War quickly came to an end.

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It was a little war and a short one. The days upon which there was fighting in regular pitched battles could be counted upon the fingers of one hand. The casualties on the American side numbered about 280 killed and 1500 wounded. The cost in money was something more than \$150,000,000. The war was fought with enthusiasm on the part of the American troops, and it was supported heartily by the American people. But it did not stir the nation deeply. It could not, for there was no doubt about the outcome; the defeat of the enemy was visible from the beginning.

Statistics
of the War

THE FRUITS OF THE SPANISH-AMERICAN WAR

On the day after Porto Rico was taken President McKinley was informed that the Spanish Government, acknowledging the futility of further resistance, was desirous of making peace. Spain asked that the negotiations be limited to the Cuban question, for she wished to retain Porto Rico, "the last memory of a glorious past,"

The Peace
Commission

and she took the position that her sovereignty over the Philippines had not been affected by the war. McKinley appointed a peace commission composed of William R. Day, who resigned as secretary of state to head the commission; Cushman K. Davis, chairman of the Senate Committee on Foreign Relations; W. P. Frye, president pro tem. of the Senate; Senator George Gray of Delaware; and Whitelaw Reid: the majority of the commission, therefore, consisted of United States senators. The peace commission met at Paris on October 1. Before it met, however, Spain had been given to understand that Porto Rico would be held by the United States and that the status of the Philippines would be made a subject of negotiation.

What
Should Be
Done with
the Philip-
pines?

A most difficult subject the Philippine question was, for it involved problems of policy that perplex American statesmen even to the present time. President McKinley himself was in doubt as to what ought to be done with the distant archipelago. In a letter of instructions to the peace commission he said on September 16: "Without any original thought of complete or even partial acquisition, the presence and success of our arms at Manila imposes upon us obligations which we cannot disregard. The march of events rules and overrules human action. Avowing unreservedly the purpose which has animated all our effort, and still solicitous to adhere to it, we cannot be unmindful that, without any desire or design on our part, the war has brought us new duties and responsibilities which we must meet and discharge as becomes a great nation on whose growth and career from the beginning the Ruler of Nations has plainly written the high command and pledge of civilization. Incidental to our tenure in the Philippines is the commercial opportunity to which American statesmanship cannot be indifferent. It is just to use every legitimate means for the enlargement of American trade; but we seek no advantages in the Orient which are not common to all. Asking only the open door for ourselves, we are ready to accord the open door to others." Among the American members of the commission there were sharp differences of opinion about the islands. When President McKinley was appealed to on October 25 to compose the differences by sending explicit instructions, he decided that the Philippines as a whole must be ceded to the United States. Some reasons which the President might very well have adduced in support of this decision are stated as follows by Professor Latané:

The situation just at this time in China, which was on the point apparently of being partitioned out among the European powers to the exclusion of the United States, undoubtedly made a profound impression on the President and his cabinet; and the acquisition of the Philippines seemed to afford a good opportunity to secure a foothold in the East. This idea also dominated the larger business and commercial interests of the country, which were beginning to feel the reactionary effects of the Dingley tariff in the retaliatory measures adopted by Germany, France, and other countries of Europe; and no mere abstract theory of government could be allowed to stand in the way of the opening of new markets in the Orient. Added to this was the religious motive: many clergymen and editors of religious papers agreed with the idea expressed by President McKinley that Providence had opened a way for the spread of American civilization in the East. For one reason or another the American people were gradually drifting into a current of sentiment which was soon overwhelmingly in favor of retaining the entire Philippine group.

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When the peace commission had finished its labors it had drawn up a treaty with Spain which provided: (1) that Spain should relinquish all claim of sovereignty over Cuba, and that the United States should assume obligations for the protection of life and property on the island; (2) that Porto Rico, Guam, and the Philippines should be ceded to the United States; (3) that the civil and political rights of the inhabitants of the ceded territories should be determined by Congress. In consideration of the fact that the actual conquest of Manila had taken place after peace negotiations had been entered into, it was stipulated in the treaty that Spain should receive \$20,000,000 for the Philippines.

The Treaty

When the treaty reached the Senate on January 4, 1899, it encountered powerful opposition. The attack was directly chiefly against the clause which provided for the acquisition of the Philippines. In assailing this provision some eminent Republican senators, notably Hoar of Massachusetts and Hale of Maine, joined with most of the Democrats. Senator Hoar declared that to acquire and hold the Philippines was to violate the Declaration of Independence, the Constitution, and the whole spirit of American institutions. Moreover, the acquisition of foreign territory, he said, would lead us into competition with European powers and we should be tempted to join in the mad scramble for new lands that was going

The Treaty
in the
Senate

on at the time. Friends of the treaty were ready to defend it on altruistic grounds. American rule in the Philippines, they said, would spread American civilization over the islands with the result that the Filipinos would receive the benefit of a "benevolent assimilation." The opponents of the treaty did not share in this concern for the little brown men. "I care not for the Filipinos," said Senator Gorman, who led the fight against the treaty; "I care for my country." It was the general feeling in the Senate, however, that it was better to vote for the treaty than to continue the war. This was the position taken by Bryan, who went to Washington and used his personal influence in urging the acceptance of the treaty. It was his idea to ratify at once and thus secure peace, and to leave the status of the Philippines to be determined by the people at the next Presidential election. The discussion was prolonged and animated, and to the very last moment ratification seemed doubtful. When the vote was taken, however, it stood fifty-seven for the treaty and twenty-seven against it. Ratification, therefore, was brought about by the narrow margin of one vote more than the required two thirds majority.

A Turning-
point in
American
Policy

The adoption of the treaty marked a turning point in our international policy. The country had assumed responsibilities that made it impossible for it to cling any longer to its old self-centered habits. It must now go out in the world and take its place by the side of the other great powers and it must accommodate its foreign policy to a new order of things. "For better or for worse," says P. L. Haworth, "the United States dropped its traditional policy of isolation. . . . The restless energy that had conquered the continent westward to the Pacific had now carried the flag beyond the narrow confines of the western hemisphere. Doubtfully, almost unwillingly, the nation fronted its fate, stooped to take up 'the White Man's burden,' and undertook to govern strange peoples."

The Platt
Amendment

The first thing to be done was to determine the status of the several islands that had been taken from Spain and to provide suitable governments for them. Cuba presented no difficult problems, for her status had already been declared by the terms of the intervention: ¹ she was to enjoy independence. True to our pledge, the people of the island were allowed to establish for themselves a constitutional republic, but they were required to incorporate in their constitution what is known as the Platt Amendment. This

¹ See p. 680.

was a section inserted in an army appropriation bill defining the future relations that should exist between Cuba and the United States. The most important provisions of the Platt Amendment are:

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I. That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II. That the said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of the government shall be inadequate.

III. That the government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the government of Cuba.

Porto Rico, under the terms of the treaty, was to have its political status and the rights of its inhabitants determined by Congress. Accordingly in April, 1900, Congress passed the Foraker Act providing a civil government for Porto Rico. Under this law the Porto Ricans were given a government different from anything to which Americans were accustomed. The executive branch was to be appointed by the President; the legislative branch in part was to be appointed by the President and in part was to be elected by the voters of the island. The citizenship of the Porto Ricans was defined in terms that made it plain that Congress did not intend that these islanders should as yet be entitled to the full privileges of citizens of the United States. Under the law of 1900 the inhabitants of the island continuing to reside there were to be considered "citizens of Porto Rico, and as such were to be entitled to the protection of the United States." In the eyes of American law, therefore, the Porto Rican was to be neither a citizen of the United States nor an alien. "He was left," says Professor Ogg, "like Mohammed's coffin, dangling between earth and heaven." Congress was con-

Porto Rico

siderate of the Porto Ricans, however, and as the years passed its laws became more liberal. By 1917 it had conferred full citizenship upon the inhabitants of Porto Rico and had given the people of the island a very considerable share in the management of their government.

Aguinaldo

By the terms of the treaty Congress was also to have full control in the Philippines. Here the first task for the new American masters was to put down an uprising of the natives. The soul of the insurrection was Don Emilio Aguinaldo, who before the capture of Manila by the Americans had led a revolt against Spanish authority in the Philippines and had, on July 3, 1898, proclaimed a Filipino republic. When in December, 1898, President McKinley issued a proclamation asserting the "sovereignty" of the United States over the islands, Aguinaldo saw that the independence of his Filipino republic would not be recognized; and the relations of his troops with the American forces at once became strained. On the night of February 2, 1899—two days before the ratification of the treaty,—a skirmish, begun by the shot of an American sentry, led to armed conflict between the forces of Aguinaldo and the American troops. For a while the Filipinos fought bravely, but of course with their antiquated rifles and wooden cannon they could not stand up long against the regular army of the United States. In November, 1899, Aguinaldo and his staff came to the conclusion that further resistance in the field was useless. The insurgent army was accordingly disbanded, but a guerrilla warfare was begun and was continued for more than two years. Not until July, 1902, were the islands completely pacified.

Our Philip-
pine Policy
as Declared
by Congress

By this time a little progress had been made in the way of establishing a civil government for the Philippines. The general policy of Congress in respect to the government of the archipelago was declared in February, 1899, in the following resolution:

Resolved . . . that by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said island as an integral part of the territory of the United States; but it is the intention of the United States to establish in said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for self-government, and in due time to make such disposition of said islands as will best promote the interests

of the citizens of the United States and the inhabitants of said islands.

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America
in the
Philippines

The subsequent action of the American Government accorded very well with the spirit of the resolution. Congress was in no hurry, however, to specify precisely the kind of government the Filipinos were to have, for the problem of governing nearly eight million people, ranging from savagery to civilization, divided into numerous tribes, and made up of many races, was not an easy one. That the solution was not to be found in self-government was the conclusion reached by an American commission which investigated conditions on the islands. The report of this commission, when touching upon the capacity of the Filipinos for self-government, said, "Their lack of education and political experience, combined with their racial and linguistic diversities, disqualify them, in spite of their mental gifts and domestic virtues, to undertake the task of governing the archipelago at the present time." Congress was content that for a while at least the islands should remain under military rule. On July 4, 1901, William H. Taft was inaugurated as civil governor. From this time the power of the military régime grew less and public affairs were administered more and more through the processes of civil government. In July, 1902, Congress passed an organic act for the government of the islands. In this law the inhabitants of the archipelago were declared to be "citizens of the Philippine Islands and as such entitled to the protection of the United States." The position of the Filipinos, therefore, could also be aptly compared to that occupied by the coffin of Mohammed. The law, however, extended to them most of the constitutional guarantees for the protection of life, liberty, and property. It vested the executive power of the island in a governor and vice-governor, and established four executive departments of the interior, of commerce and police, of finance and justice, and of public instruction. The legislative power was vested in a commission—"the Philippine commission"—consisting of eight members, the governor, the four heads of the executive departments, and three native Filipinos. All the executive officers and all the members of the commission were appointed by the President. The first legislature was, of course, no legislature at all, but provision was made, in the law of 1902, for the election of a popular assembly to be chosen as soon as certain conditions should be fulfilled. In 1907,

as the conditions had been complied with, the people of the islands for the first time elected their assembly. The legislature was thus a hybrid affair consisting of the commission and an elective lower branch. Under the liberal policy of Congress the democratic element in the legislature was allowed to grow stronger and stronger, with the result that by 1917 the Philippine legislature had come to consist of two elective branches, a senate and a house of representatives, the members of both houses being residents of the islands. The legislative power of this democratic body was now virtually complete, except that its measures could of course be annulled by the action of Congress. This was about as far as self-government on the islands could be allowed to go unless absolute independence should be granted. Even this precious boon was held out as an attainable thing, for Congress in 1916 declared it to be the purpose of the United States to give the Philippines their independence as soon as a stable government should be established.

The treatment accorded to the Philippines in matters of government was only one aspect of a policy that was upon the whole enlightened and liberal from the beginning. We did not go into the Philippines to exploit and oppress. Rather, acting like a "big brother," we tried to elevate them, and improve their condition. And we have done this: the Filipinos are better off for our having come among them. They have not yet secured their independence, but they will be given that when the proper time shall come. We kept the faith with the Cubans, and we shall keep it with the Filipinos. "We are trustees for the Filipino people," said President Wilson, "and just as soon as we feel that they can take care of their own affairs without our direct interference and protection, the flag of the United States will again be honored by the fulfilment of a promise."

EXPANSION AND THE OPEN DOOR

When we went into the Philippines we were bound to touch elbows not only with the Oriental countries but with several European powers. During the latter part of the nineteenth century the great powers of Europe were seized with a desire for expansion that carried them into every portion of the globe. Especially was this true of Great Britain, France, and Germany. Great Britain, which had already in the earlier part of the century established its rule in India, Australia, and New Zealand, was rapidly acquir-

ing wide stretches of territory in Africa. France was also spreading its power over immense areas in Africa; for the "dark continent," which Livingstone and Stanley were then bringing into the light, was becoming the richest of the prizes for which nations were struggling. Germany, too, began to take part in the wild scramble for new territory. Its first annexations were near at home. In 1866 Prussia took possession of Schleswig-Holstein. Five years later at the close of the Franco-Prussian War Alsace-Lorraine was taken from France and annexed to the German Empire, which had just been proclaimed. In 1884 Germany embarked with great zeal upon a policy of colonization, and before many years had passed there were German colonies in Africa hundreds of thousands of square miles in extent. Thus at the opening of the twentieth century the most powerful nations of Europe were struggling for the possession of new territory in the backward and undeveloped countries, each nation trying to secure as much as possible of the best land that was still available for colonization.

The great powers were reaching out for new markets as well as for new land. At the time of our seizure of the Philippines the Orient was the scene of intense rivalry between nations for the commercial exploitation of China. In the feverish struggle for the trade of this populous empire the European nations marked out for themselves "spheres of influence," extorted from a weak and incompetent government valuable concessions for mines and railways, and even engaged in the grabbing of portions of Chinese territory. In 1897 two German missionaries were murdered in the province of Shan-tung. The outrage furnished a pretext for aggressive action on the part of Germany. German war-ships appeared at Kiao-chau, and demands were made for the surrender of the city, for a lease of Kiao-chau for ninety-nine years, and for the recognition of a German interest throughout the greater part of the Shan-tung peninsula. China could do nothing but yield; on March 8, 1898, all the demands were conceded. A few days later China, with the fear of Russian war-ships before her eyes, handed over Port Arthur to Russia to be held for a term of twenty-five years. By July, 1898, Great Britain had acquired rights in Wei-hai-wei similar to those of Russia in Port Arthur. France secured her share by occupying Kwang-chau Wan. Besides receiving concessions of territory, each nation designated for itself around its holdings a certain area, called a "sphere of influence," in which

extensive concessions were to be granted for mining operations and railway enterprises. Altogether, thirteen of the eighteen provinces of China were to a greater or less extent brought under the control of outside powers.

Perceiving that the greed of the great powers was threatening the very integrity of the Chinese nation, the United States decided to take a hand in the matter. We did not want any part of the territory of China but we did want our share of her trade. With the view of protecting our commercial interests, John Hay, the secretary of state, announced what came to be known as the "open door" policy. "The policy of the Government of the United States," said the secretary, "is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire." In order to secure official recognition for the "open door" policy, Hay in September, 1899, addressed a circular note to Great Britain, Germany, and Russia requesting each of these powers to give assurances and make a formal declaration to the effect: (1) that it would not interfere with any treaty, port, or vested interest in its so-called "sphere of influence"; (2) that the Chinese tariff should apply equally to all goods shipped to ports in the "spheres" and should be collected by Chinese officials; (3) that there should be no discrimination against other foreigners in the matter of port dues or railroad rates. Similar notes were addressed at a later date to France, Italy, and Japan. Great Britain acceded to the request, but the other powers, while acknowledging the validity of the principles involved in the note, avoided committing themselves in a formal manner. Even though the move was only partially successful, Secretary Hay nevertheless informed each of the powers to which the note had been addressed that its acceptance of the proposals of the United States was considered "as final and definitive." This bold and adroit stroke of diplomacy had the effect of checking for a while, at least, the encroachments of which the American Government complained.

In the summer of 1900 the situation in China demanded something more drastic than diplomatic notes. The presence of so many foreigners in the Flowery Kingdom gave rise to an anti-alien sen-

timent which culminated in the Boxer Rebellion. The Boxers was a society organized ostensibly for the practice of athletics but really to rid China of the hated strangers who were crowding in upon her and bringing about her dismemberment. The watchword of the organization was "Exterminate the foreigners." In June, 1900, armies of Boxers, encouraged by the empress dowager of China, closed in upon Peking. They seized the railroad which connected the city with the coast, severed telegraphic communications, and ordered all foreigners to leave within twenty-four hours. The German minister, Baron von Ketteler, was shot. The whole foreign colony, including a number of Americans, would probably have been murdered had it not found a refuge within the British legation, which was converted into a kind of fortress. For nearly two months the foreigners were held imprisoned within the city and compelled to undergo many hardships. In August a strong force of soldiers and sailors furnished by the United States, Japan, Great Britain, France, and Russia moved upon Peking, made a breach in the walls, and rescued the besieged foreigners. In the work of relief our Government could take a leading part, for it could furnish promptly several thousand American troops who were readily available by reason of our military occupation of the Philippines. As an indemnity for the injuries caused by the Boxer Rebellion the European nations would gladly have seized upon Chinese territory. But since the United States was opposed to the further partition of China a money reparation was agreed upon. The amount of the indemnity was fixed at \$333,000,000, of which the United States was to get \$24,000,000. It turned out that our share was much more than sufficient to satisfy all claims, and China was therefore relieved from the payment of about \$11,000,000. This was an act of simple justice on our part, but it was so highly appreciated by China that her Government determined to use the fund in sending students to the United States to be educated. These kindly relations were in keeping with the aims of our new international policy: we entered upon our career of expansion in the Orient with a desire for the friendship of China.

CHAP.
XXXII

THE GOLD-STANDARD ACT

During the first three years of McKinley's administration international affairs received so much attention that domestic matters were almost forgotten. By 1900, however, the Republican leaders

An Influx
of Gold

decided that it was time for Congress to take up the money question, the question which had brought their party into power in 1896, but which had been shelved in order to make way for the tariff.¹ The march of events showed that the postponement of action on the silver question was good politics. By 1900 the prosperity of the country was unprecedented. Money was flowing into the United States in great streams. The supply of gold from the mints had been greatly increased by the output which came from the newly discovered deposits of the Klondike region. New processes of reducing the ore resulted in a larger production of the yellow metal. An extraordinary demand from abroad for our foodstuffs caused an unusual amount of foreign gold to pour into our coffers. The excess of exports over imports was averaging about \$560,000,000 a year. The money in circulation rose from about twenty-one dollars per capita in 1896 to nearly twenty-seven dollars in 1900. Economic conditions in 1900, therefore, were entirely different from those that prevailed at the time McKinley was inaugurated. It was accordingly possible to secure legislation on the monetary question that could not have been secured at an earlier date.

In December, 1899, the President went to Congress with a recommendation for a law that would make the gold standard secure. He did this with confidence, for there was now a majority against the free coinage of silver both in the House and in the Senate. In his message he said: "The situation points to the present as the most fitting time to make adequate provision to insure the continuance of the gold standard and of public confidence in the ability and purpose of the Government to meet all its obligations in the money which the civilized world recognizes as the best." Congress responded on March 14 with the Gold-standard Act of 1900. This law declared the gold dollar to be the standard unit of value, and provided that all forms of money issued or coined by the United States were to be maintained at a parity with gold. Legal-tender notes were to be redeemed in gold. The reserve for redemption purposes was to be increased to \$150,000,000 and maintained, if necessary, by sales of 3 per cent gold bonds. The legal-tender quality of the silver dollar was to remain undisturbed by the law. Treasury notes of 1890² were to be canceled as received and silver

¹ See p. 675.² See p. 630.

certificates substituted for them. The act also amended the National Banking Law ¹ by providing for the organization of banks in places of 3000 inhabitants or less with a capital of \$25,000 instead of \$50,000, as formerly; and by allowing banks to issue circulation on the bonds deposited up to the par value of the bonds. Thus after a struggle of more than twenty years the battle between silver and gold was at last won by the yellow metal, for after the passage of the Gold-standard Act the friends of silver were never again able to score a victory of any importance

RE-ELECTION OF McKINLEY; HIS DEATH

The Gold-standard Act was passed with the expectation that it would furnish the Republicans a talking-point in the campaign that was fast approaching. That President McKinley was to go before the country for a second term was a foregone conclusion. When the Republican convention met in Philadelphia he was unanimously nominated on the first ballot. Theodore Roosevelt, a member of the convention, was named as the candidate for Vice-President, receiving the votes of all the delegates except his own, which he refrained from casting. It was also a foregone conclusion that Bryan would again be nominated by the Democrats; for despite the defeat he had suffered in 1896, and despite the opposition of many influential Democratic leaders, he was still the dominant figure of his party. At the Democratic national convention, which met in Kansas City, he was nominated for the Presidency by acclamation.

McKinley
and Bryan
Again

The Republican platform asserted that the prosperity which the country was enjoying was due to the McKinley administration; it renewed the allegiance of the party to the gold standard and to the principles of a protective tariff; it declared that the acquisition of the Philippines and Porto Rico was a necessary result of our victories in the Spanish-American War. On the trust question the platform recognized "the necessity and propriety of the honest coöperation of capital but condemned all conspiracies and combinations intended to restrict business, to create monopolies, to limit production or to curtail prices." This language of the Republican platform in reference to the trusts was characterized in the Democratic platform "as dishonest paltering with the trust evil." The Democratic plank on trusts said: "Existing laws against trusts

Platform
Utterances

¹ See p. 489.

must be enforced, and more stringent ones must be enacted providing for the publicity as to the affairs of corporations engaged in interstate commerce and requiring all corporations to show that they have no water in their stock and that they have not attempted to monopolize any branch of business or the production of any articles of merchandise." In accordance with the wishes of Bryan, but against the wishes of many leaders, the Democratic platform declared for the free coinage of silver in terms as strong as those used in 1896. But free silver was not put to the front as the issue upon which the fight was to be made: the supreme question to be discussed was "imperialism." "The importance of other questions now pending before the American people is in nowise diminished," said the Democratic platform, "and the Democratic party takes no backward step from its position in them; but the burning issue of imperialism, growing out of the Spanish War, involves the very existence of the Republic and the destruction of our free institutions. We regard it as the paramount issue of the campaign."

"The Full
Dinner
Pail"
Campaign

Bryan accordingly went out proclaiming imperialism as the supreme question of the day; but this time he was unable to force the issue. It was Hanna's idea that the supreme question was prosperity and that the slogan of the Republicans should be the "full dinner-pail." So far as his party was concerned Hanna could have his way about the matter, for he was in full command. "We are both engineers," he said to the engineer of a train which was carrying him and a party of fellow-campaigners through Nebraska. "I run the Republican party and you run me." Since the "prosperity banner" was to be waved in every doubtful precinct in every doubtful State, a great deal of money would have to be collected for propaganda purposes. Here Hanna's services were as useful as they had been in 1896. But his comb in 1900 did not have such fine teeth as the one he used four years before. In securing subscriptions he relied this time principally upon "big business." "The necessities of practical politics," says his biographer, Herbert Croly, "brought him closer and closer to the representatives of large corporate interests. It was much more convenient to get money needed for an effective campaign from them than from a larger number of smaller subscribers. . . . Mr. Hanna wanted as usual to accomplish the largest and surest results with the utmost economy of time. So in 1900 he solicited and obtained support from Wall Street more explicitly and more exclu-

sively than he had in 1896." The result of this large-scale assessment was a campaign fund of \$2,500,000. This was money enough and to spare. The prosperity idea was spread far and wide. McKinley was everywhere heralded as the promoter of good times, and voters had it dinned into their ears, morning, noon, and night, that they had best "let well enough alone," and that a vote for the Republican ticket meant a "full dinner-pail." The appeal proved to be so effective and powerful that before the campaign closed the voters felt that the only question they had to decide was whether there should be hard times under the Democrats, or good times under the Republicans. Bryan made a brilliant and earnest campaign, but he failed to arouse any great interest or enthusiasm in the subject which he regarded paramount. The number of those who were really frightened by the prospect of imperialism was relatively small, and it was to little purpose that Bryan depicted the horrors of an imperialistic policy. He accordingly led a forlorn hope; the whole trend of things was entirely unfavorable to a change in administration. The election resulted in an easy victory for the Republicans. McKinley received 292 electoral votes and a popular vote of 7,219,525. Bryan's electoral vote was 155 and his popular vote 6,358,737.

President McKinley entered upon his second term with every prospect for a successful administration. His personal popularity was now very great. In the spring of 1901 he made a tour through the South and West, extending the trip to the Pacific coast. Wherever he went he was received with every expression of popular favor. In the autumn he made a speech which if it had been delivered ten years before would have shocked the political sensibilities of his hearers, but which in 1901 was in harmony with the prevailing sentiment of the country. In this speech he called attention to the new position which the United States had assumed among the nations and outlined a foreign policy for the future guidance of statesmen. "Isolation," he said, "is no longer possible or desirable. God and man have linked the nations together. No nation can be longer indifferent to any other. . . . Only a broad and enlightened policy will keep what we have. No other policy will get more. Reciprocity is the natural growth of our wonderful industrial development. What we produce beyond our domestic consumption must have a vent abroad. We should sell everywhere we can and buy wherever the buying will enlarge our sales and

"Isolation
No Longer
Possible"

productiveness. The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good-will and friendly trade relations will prevent reprisals . . . our real eminence rests in the victories of peace and not in those of war."

"His Death
Brought
Sorrow
to Every
Home"

This remarkable speech was delivered on September 5 at Buffalo, where the President was visiting the Pan-American Exhibition. On the day after its delivery the American people were startled and horrified by the news that their President had been shot. While holding a public reception he was fired upon by a man who called himself an anarchist. At first there were strong hopes that the President would recover, but his wounds were mortal. On September 14 he died. His death brought sorrow to every home in the land. Of the three Presidents who were victims of assassins' bullets McKinley was perhaps the best beloved. "The full appreciation of Lincoln's character," says Edward Stanwood, "came after his death. Garfield was greatly honored and respected, and his long fight against death brought him very near to the hearts of the American people. But McKinley's kindly and homely character rendered him an object of general affection. People of every party and of every religious persuasion observed the day of his funeral with devotional and memorial services in thousands of churches, and the mourning was deep and universal."

Theodore
Roosevelt

On the afternoon of the day before President McKinley's death a message was brought to the Vice-President, Theodore Roosevelt, informing him that President McKinley had but a few hours to live. At the time the message was received Roosevelt was on a tramping trip in the Adirondack Mountains. As soon as he heard the news he started for Buffalo. He was thirty miles from the nearest railway station, the journey to which had to be made over rough mountain country through darkness and rain. When the station was reached about daybreak on the following day, a telegram was given him informing him that the President was dead. He hurried on to Buffalo as fast as the fastest express could carry him, and, before the day ended, he had taken the oath of office and had assumed the duties of the Presidency.

The man who succeeded McKinley was one of the most active, robust, and picturesque characters that had appeared in American public life. His biography up to the time he became President has been summarized as follows:

Theodore Roosevelt, the twenty-sixth President of the United States, was born in the city of New York, October 27, 1858. His ancestors on the paternal side were of an old Dutch family, and on the maternal side, of Scotch-Irish descent. His early education was received under private tuition. He was graduated from Harvard College in 1880, and spent the following year in study and travel. From 1882 to 1884 he was a member of the Assembly of the State of New York as an independent Republican, and gained a wide reputation for his work for political reform, particularly in the field of the civil service. In 1884 he was chairman of the New York delegation to the National Republican Convention, and two years later was an unsuccessful candidate as an independent Republican for the office of Mayor of New York. He was made a member of the National Civil Service Commission by President Harrison in 1889, and served as president of the board until May, 1895, when he resigned to become president of the board of Police Commissioners of the city of New York. In 1897 he was made Assistant Secretary of the Navy by President McKinley, but on the breaking out of the Spanish-American War, in 1898, he resigned and organized the First United States Volunteer Regiment of Cavalry, popularly known as the "Rough Riders," of which he was made lieutenant-colonel. He was attached to the army of General Shafter, for the invasion of Cuba, and participated in every engagement preceding the fall of Santiago. He won distinction at the Battle of San Juan Hill, on July 1, 1898, and was promoted to the rank of colonel on July 11, for conspicuous bravery in action. He received the nomination for governor of New York on the Republican ticket, September 27, 1898, and was elected by a large plurality. At the Republican National Convention held in Philadelphia, in June, 1900, he was nominated for Vice-President of the United States . . . and was elected.¹

The new President, as soon as he had taken the oath of office, said to the members of McKinley's cabinet who stood around him: "In this hour of national bereavement I wish to state that it shall be my intention and endeavor to continue absolutely unbroken the policy of President McKinley, for the peace and prosperity of our beloved country."

¹ "Messages and Papers of the Presidents"; Vol. IX, p. 6637.

Suggested Readings

- Imperialism: Stanwood, Vol. II, pp. 1-75; Lingley, pp. 401-423; Haworth, pp. 257-277.
 Intervention in Cuba: Latané, pp. 3-28.
 Battle of Santiago: Hitchcock, pp. 357-376.
 Philippine insurrection: Latané, pp. 82-99.
 Dingley Tariff: Taussig, pp. 321-360.

XXXIII

THE ROOSEVELT ADMINISTRATION

ROOSEVELT AND THE TRUSTS

AT no time in our history were commerce and industry in a more flourishing condition than they were when President Roosevelt took his place at the head of affairs. The prosperity was indeed so great that President McKinley in his speech at Buffalo had been constrained to call it "appalling." Yet in the world of business things were not moving along in a way to please the average citizen. The disquieting element was the trusts. These at the opening of the twentieth century were being formed on a scale that made the combinations of the eighties¹ look like pygmies by comparison. Between 1898 and 1904 two hundred and thirty-six combinations were established with a capitalization of more than six billions of dollars. Of all the aggregations the most stupendous was the United States Steel Corporation. This company, organized in April, 1901, was essentially a holding company having possession of the stock of several subsidiary companies. Most of the subsidiary companies were themselves industrial giants, for among them were the Carnegie Co., the Federal Steel Co., the American Steel & Wire Co., the American Tin Plate Co., and other colossal corporations. In most cases each of the subsidiary companies had a number of manufacturing plants distributed at various points as well as such properties as ore companies, dock companies, railroad companies, gas companies, and the like. "The United States Steel Corporation, when formed, had steel works with an annual capacity of 9,400,000 tons of crude steel, 1000 miles of railway, 112 lake ore vessels, iron ore deposits estimated to contain from 500,000,000 to 700,000,000 tons of ore, and more than 50,000 acres of high grade coal lands and numerous related properties. The total number of plants under the control of the corporation exceeded 200." The

American
Business
Trust-
ridden

¹ See p. 596.

capitalization of the new company was a little more than \$1,400,000,000. Of this something like \$600,000,000 was "water."

By 1902 concentration had gone so far that American business was trust ridden. Thousands were being driven to the wall by the ruthless competition of the trusts, and millions were feeling the pinch of monopoly prices. It was about this time that prices began to rise and the cost of living began its upward trend. Nearly one third of all industries, excluding that of agriculture, had been brought under the control of trusts. One trust controlled 75 per cent of the steel industry; another sold 90 per cent of the sugar output; another refined 75 per cent of the oil; another manufactured 75 per cent of the paper. Consolidation was gaining ground and nothing was being done to halt it. "Presidents Harrison, Cleveland, and McKinley," says F. A. Ogg, "were not fitted by training or conviction to wage contest with the powerful corporate interests opposed to the enforcement of the law [the Sherman Law]; and the interests of their attorney-generals did not run in this direction. Under Harrison there were only three indictments, and under Cleveland two. Under McKinley there were none." Neither the Sherman Law nor the anti-trust laws passed by the several States had succeeded in putting the slightest curb upon monopoly. "If there is any serious student in our economic life," said Professor Ely in 1899, "who believes that anything substantial has been gained by all the laws passed against trusts, . . . this authority has yet to be heard from. Forms and names have been changed in many instances, but the dreaded work of the vast aggregation of capital has gone on as before."

"Good"
Trusts and
"Bad"
Trusts

President Roosevelt was keenly alive to the economic situation, and, unlike his predecessors, he took the matter seriously. In his messages he always dwelt at length on the subject of trusts, and he went before the people and expressed himself about them in a fashion that alarmed the great financiers. In Providence he said in 1902: "The great corporations which we have grown to speak of rather loosely as trusts are the creatures of the State, and the State not only has the right to control them but is in duty bound to control them wherever the need of such control is shown. It is idle to say there is no need for such supervision. There is." But the President was not for striking at the trusts in a heedless or violent fashion. He was with those who believed that the trust was in a measure a natural development, and that it should be dealt with in

a very cautious manner. He was not against big business simply because it was big. The question was not whether a trust was big or little but whether it was good or bad. The good trust should be let alone even though it was as big as all outdoors, but the bad trust, whether big or little, should be made to feel the hand of the law. It was quite in the way of the President to look at problems on their moral side, but when it was proposed to ascribe moral qualities to such a thing as a trust the minds of many hard-headed men were overcome with doubt. How, it was asked, could a trust have a moral nature when a corporation had no soul? Said "The Nation," when referring to the President's classification of trusts: "If the trusts are founded on a dangerous principle, if they operate on methods repugnant to our traditions of equity and of law, then they are all bad. If on the contrary, their foundation is legal, and their methods equitable, they are all good. To try to mark off the good trusts from the bad when you have once conceded that their principle is wrong is like talking of good and bad tyranny, good and bad oppression, good and bad slavery."

The President, however, did something more than moralize about good trusts and bad trusts. There were, he said, real and grave evils connected with trust management, and a resolute and practical effort ought to be made to correct those evils. In dealing with the problem he would begin with publicity, an idea advanced by the Democrats in their platform at the previous election. The first step to take, he said, was to get a knowledge, full and complete—knowledge which might be made public to the world. At his recommendation, Congress, in 1903, created the Department of Commerce and established therein a bureau of corporations, arming it with authority to inquire into the history and practices of trusts and to make reports of its findings. In his crusade for publicity the President had no idea of attacking the trusts: all he wanted to do was to purge them of evil. "The legislation," he said in his "Autobiography," "was characterized throughout by the idea that we were not attacking corporations, but endeavoring to provide for doing away with any evil in them; that we drew the line against misconduct, not against wealth; gladly recognizing the great good done by the capitalist, who alone or in conjunction with his fellows, does his work along proper and legitimate lines. . . . The purpose of the legislation was to favor such a man when he does well, and to supervise his action only to prevent him from doing ill." The

Publicity

bureau of corporations went about its task of furnishing the desired publicity with great enthusiasm. The activity of its chief, Herbert Knox Smith, was so marked that he came to be known as the "trust-buster." But there was always just a little derision in this appellation, for the impotency of publicity to "bust" trusts was soon discovered. President Roosevelt, of course, never supposed that publicity alone would solve the trust problem. Publicity was to be only the first step in trust regulation. Since the next step would have to be taken by Congress, he urged that body for several years to consider the evils of the industrial situation and to pass the necessary remedial laws. But the lawmakers failed to take action. At last the President came forward with specific recommendations of his own. In his message of December, 1907, he said: "The Anti-Trust Law should be made more efficient and more in harmony with actual conditions. It should be so amended as to forbid only the kind of combination which does harm to the general public. . . . The Congress has the power to charter corporations to engage in interstate and foreign commerce, and a general law can be enacted under the provisions of which existing corporations could take out Federal charters and new Federal corporations could be created. If an incorporation law is not deemed advisable, a license act for big interstate corporations might be enacted; or a combination of the two might be tried. . . . At least the Anti-Trust Act should be supplemented by specific prohibitions of the methods which experience has shown have been of most service in enabling monopolistic combinations to crush out competition." To this recommendation Congress gave no response. It persisted in its policy of inaction, with the result that the trust problem on its legislative side wore much the same aspect at the end of the Roosevelt administrations that it had worn at the beginning.

If the President could not get new power he could at least use the power he already had; he could arouse from its slumbers the Sherman Anti-Trust Law. He instructed his attorney-general, Philander C. Knox, to proceed against the Northern Securities Co., which had been organized with the view of merging the interests of the Great Northern and Northern Pacific railroads in such a way as to destroy competition between the two lines. It was the President's wish that the suit should be pressed with all possible earnestness. "No suit," he said when referring to the movement

of the Government against the trusts, "will be undertaken for the sake of seeming to undertake it, and when a suit is undertaken it will not be compromised except on the basis that the Government wins." In this spirit the attorney-general carried forward the case against the Northern Securities Co. The result was a victory for the Government: in March, 1904, the Supreme Court by a five-to-four vote declared that the company, organized as it was, would destroy every motive for competition between the roads engaged in interstate traffic, and that therefore the merger constituted a violation of the Sherman Law. The Northern Securities Co. was therefore forced to dissolve. The decision created consternation in Wall Street, for it pointed to the wreckage of hundreds of illegal combinations. But the apprehensions of the captains of finance were allayed by the prompt assurance of the attorney-general that the Government in its prosecution of the trusts did not intend to "run amuck." Further suits were brought, but there was no cutting or slashing. In a few important cases the Government won, but no heavy fines were collected and no offenders were imprisoned under the criminal clause of the Anti-Trust Law.¹ In the trial of cases the defendants availed themselves of the "law's delays" to the fullest extent. A suit against the Tobacco Trust was begun in 1907 but was not finished until 1911; that against the Standard Oil was begun in 1906 and finished five years later; that against the Powder Trust was filed in 1907 but a final decision was not reached until 1912. Thus some of the most important suits begun while Roosevelt was President reached a final decision in the next administration.

CHAP.
XXXIII

Regarded from the economic point of view the Roosevelt campaign against the trusts did not amount to much. It had little or no effect in the way of putting a curb upon monopoly, for during the very years in which it was being conducted the total capitalization of the trusts increased by several billions of dollars. Upon the conduct of corporation officials it may perhaps have had an influence that was in some degree salutary, but, by and large, its principal effect upon the trust magnates was simply to make them more cautious in their methods of working out their monopolistic schemes. But measured by its political results the campaign had considerable significance. As it was warmly approved by the people, it made Roosevelt more popular than ever; and this meant

The Effect
of the
Anti-trust
Campaign

¹ See p. 634.

that it brought strength to the Republican party. Although Republican leaders were irritated by the President's action, they were nevertheless glad to see him grow in popular favor, for his popularity helped to keep them and their party in power.

ROOSEVELT AND THE COAL STRIKE

Before Roosevelt had been in office a year a fresh access of popularity came to him from the ranks of organized labor. This now meant a great deal to a public man; for the labor movement, which had kept equal step with capital in the matter of organization, had acquired a tremendous momentum. At the opening of the twentieth century more than 2,000,000 wage-earners were enrolled in labor-unions of one kind or another. One union alone had the enormous membership of 300,000.

The
Collective
Bargain

A chief outgrowth of the later and larger trade-union was the collective bargain. When the day came for working-men to make their bargains in regard to wages and hours they took up the matter feeling that they had the strength of a great organization behind them. Their representatives met in conference with the employers, and there was higgling as to wages and hours and working conditions; and when a bargain was struck it bound all parties, including every employee belonging to the organization and every employer who was a party to the compact. In some instances this collective bargaining was conducted upon a vast scale; agreements were entered into that affected not only a single establishment but whole industries. So long as the collective agreement was possible there was industrial peace, but when it failed there was industrial war: either the employers—perhaps those of an entire industry—closed the doors of their establishments upon their employees as a body, or the employees in a body left their work.

The
Anthracite
Coal Strike

In the spring of 1902 the miners in the anthracite coal fields of Pennsylvania, who had failed to come to an agreement with their employers through methods of collective bargaining, threw down their picks; and there followed an industrial war which became such a menace to the entire country that President Roosevelt thought it necessary to take a hand in it. The miners were members of the United Mine Workers of America, an organization consisting of nearly 150,000 men. At the head of the miners was John Mitchell, a man who had himself worked in the mines. Mitchell

was the ablest leader that had yet emerged from the ranks of labor. His self-control was perfect. His opponents might call him the worst of names and shower upon him all kinds of abuse, yet he could not be provoked to bitterness or retort. His utterances were statesmanlike, and his leadership inspired the confidence and won the affection of the miners. Opposed to the miners was the Coal Trust, whose chief spokesman was George F. Baer, the president of the Reading Co. The miners wished to submit their claims to arbitration, but their offer was bluntly rejected by Baer, who said there was nothing to arbitrate. "Anthracite mining," he said, "is a business; not a religious, sentimental, or academic proposition." The mine-owners, relying upon their resources, hoped to tire the miners out. On September 28 Senator Hanna, after he had had an interview with Baer in reference to a settlement of the strike, said: "It looks as if it was only to be settled when the miners are *starved* out." But no settlement, the senator went on to say, could be expected soon, for the miners were receiving large sums of money. The mine workers voted \$2,000,000 a month for the support of the strikers. The strike dragged on through the summer and far into the autumn. The price of coal soared higher and higher: in some places it was \$30 a ton; in many places it could not be bought at any price. The poor suffered, and schools and hospitals had to go without fire.

Early in October President Roosevelt decided that he must try to end the strike. He invited Mitchell and the coal barons to a conference in Washington with the view of persuading them to compose their differences. He reminded them that they were not the only parties concerned; that the interests of the American people were also involved in the dispute. "In my judgment," he said to them, "the situation imperatively requires that you meet upon the common plane of the necessities of the public. With all the earnestness there is in me, I ask that there be an immediate resumption of operations in the coal-mines, in some such way as will without a day's unnecessary delay meet the crying needs of the people." Mitchell was quick to suggest that the claims of the miners be submitted to a board of arbitration appointed by the President. This proposition was flatly rejected by the mine-owners, who suggested that it was not arbitration that was needed but cold lead; the President ought to send Federal troops to the coal fields. As a deadlock had thus been reached, the conference

Roosevelt
and the
Coal Strike

adjourned without, as it seemed, having accomplished anything. But in fact it had accomplished a great deal. It had made it perfectly plain that public opinion was on the side of the miners. When the news went out that the coal magnates had refused to arbitrate there arose a storm of popular indignation that meant that they *must* arbitrate. Other conferences were held and various proposals were considered, but the iron will of Mitchell prevented the acceptance of any plan that did not provide for the principle of arbitration. After nearly two weeks of holding back the coal barons at last bowed to the inevitable. On October 13 they made a formal offer to the President to submit the dispute to a commission of five men to be appointed by the President; and the offer was accepted by Mitchell on behalf of the miners. Thus a strike which had lasted for five months and had entailed a loss of \$100,000,000 was brought to an end. Work in the mines was promptly resumed and soon the people were able to get the coal for which they were suffering. In due time the arbitration commission brought in a decision favorable in the main to the miners.

In taking steps to end the strike President Roosevelt acted as a private citizen, for his intervention had no sanction in law. "I disclaim," he said, "any right or duty to intervene in this way upon legal grounds or upon any official relation that I bear to the situation." Yet he felt that public opinion would be on his side, and in this he was not mistaken. He received the unstinted praise of a great majority of the American people. His intervention, as interpreted by the average man, was a blow *at* the great capitalists and *for* the working-men. It was, therefore, doubly popular.

THE PANAMA CANAL; FOREIGN AFFAIRS

The
Importance
of an
Isthmian
Canal •

President Roosevelt had a tremendous reputation for "doing things." An act which must have contributed greatly to a reputation of this kind was the building of the Panama Canal. The idea of constructing a ship-canal between the Atlantic and Pacific oceans occurred to navigators as soon as the form of the western continents became known. As early as 1527 a survey was made for a canal route from Chagres to Panama. We have seen ¹ that the importance of an isthmian canal was fully recognized during the rush to California. During the Spanish-American War the

¹ See p. 353.



THE PANAMA CANAL

long voyage of the *Oregon* around Cape Horn impressed upon the popular mind the importance of a canal from a naval point of view. After we entered upon our policy of expansion it seemed that an interoceanic canal was almost a political and commercial necessity. Accordingly in 1899 a commission was appointed by Congress to determine the most feasible route for an isthmian canal. The report of this commission was upon the whole favorable to the Panama route.

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XXXIII

Before the construction of the canal could be undertaken several perplexing problems had to be solved. In the first place there was already on the scene a canal company which had to be reckoned with. In 1881 a French company organized by Ferdinand de Lesseps began to dig a canal across the Isthmus of Panama, but his undertaking failed and by 1889 his company had collapsed. It was succeeded, however, by the new Panama Canal Co. which was organized in 1897. Before the United States could build the canal the property and rights of this new company would have to be secured. There were also diplomatic obstacles to overcome. According to the Clayton-Bulwer Treaty, if the United States should undertake to build the canal Great Britain would have to be a party to the undertaking.¹ But in time public opinion began to frown upon this arrangement, and by 1880 the American people were doubtless in accord with President Hayes when he said: "The policy of this country is a canal under American control. The United States cannot consent to the surrender of this control to any European power or to any combination of European powers. . . . An interoceanic canal across the American Isthmus will essentially change the geographical relations between the United States and the rest of the world. It would be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States." And this was the American view in 1901 when the Hay-Pauncefote Treaty was ratified. This expressly abrogated the Clayton-Bulwer Treaty and acknowledged the exclusive right of the United States to build, operate and maintain a canal, the only important limitation being that the canal must be

Making
the Way
Clear

¹ See p. 353.

open to the vessels of all nations "on terms of entire equality." The way had now been made clear so far as Great Britain was concerned, and the next thing to be done was to determine the route of the proposed canal. There was a strong movement in favor of a Nicaraguan Canal, but in June, 1902, Congress authorized the selection of the Panama route and the purchase of the claims of the new Panama Canal Co.

The canal project was now largely in the President's hands, and it was carried forward with all possible expedition. The Panama Canal Co. was offered \$40,000,000 for its property rights in the unfinished canal, and negotiations for a right of way across the isthmus were begun with Colombia, the nation to which the Isthmus of Panama belonged. By January, 1903, the Hay-Herrán Treaty had been signed, by the terms of which the United States agreed to pay Colombia \$10,000,000 cash and an annuity of \$250,000 for the lease of a strip of land six miles wide across the isthmus. The treaty was ratified in March, 1903, by the United States Senate, but when it was brought before the Colombian senate it was rejected by a unanimous vote. A little later Colombia let it be known that a new treaty would be ratified if the United States would pay the sum of \$25,000,000 instead of the proposed \$10,000,000. The rejection of the Hay-Herrán Treaty alarmed the new Panama Canal Co. It was afraid that the United States might turn away from Panama and build the canal across Nicaragua, in which case it would not get its \$40,000,000. Its agents therefore did what they could to stir up trouble between Colombia and Panama. It was not hard to do this, for the people of the isthmus wanted the canal, and they resented deeply what the Colombian Government had done. In October there was a movement in Panama to secede from Colombia and establish an independent republic. This was precisely what President Roosevelt desired. "Privately," he wrote to a friend on October 10, "I freely say to you that I should be delighted if Panama were an independent state, or if it made itself so at this moment; but for me to say so publicly would amount to an instigation of a revolt, and therefore I cannot say it." It was not necessary for the President to instigate a revolt, for that was being done by others. But he could support a revolution if one should come; and one did come a little sooner than was expected. On November 3 there was an uprising on the isthmus which resulted in the killing of a Chinaman and a dog. The leaders of

the revolt immediately organized a government for the republic of Panama. Physical conditions prevented Colombia from sending troops by land to put down the revolution, and she could not send any by water for orders were cabled to the commanders of American warships that had arrived off Colombia the day before the revolution to "prevent the landing of any armed force with hostile intent, either Government or insurgent, at any point within fifty miles of Panama." Even if Colombian troops had appeared upon the scene they would not have been allowed to disturb the revolutionists, for American marines were present to prevent any fighting. Two days after the revolutionary government was set up it was recognized by the American Government. Philippe Bunau-Varilla, who had been an engineer of the Panama Canal Co., was accredited at Washington as minister of the new republic. Secretary of State John Hay and Bunau-Varilla at once began to arrange for a treaty covering the question of a canal. How hot-footed was the haste which characterized the movements of the Government at Washington is revealed in a private letter written by Secretary Hay on November 19, 1903: "Yesterday morning the negotiations with Panama were far from complete. But by putting on all steam, getting Root and Knox and Shaw together at lunch, I went over my project line by line, and fought out every section of it; adopted a few good suggestions; hurried back to the Department, set everybody at work drawing up final drafts—sent for Varilla, went over the whole treaty with him, explained all the changes, got his consent, and at seven o'clock signed the momentous document." The treaty when finished provided that the United States should guarantee the independence of the Panama Republic, and that in return Panama should grant to the United States in perpetuity the use, occupation, and control of a zone of land ten miles wide for the construction of a canal, the United States receiving as full power and authority over the strip as if it were the sovereign of the territory. The United States further agreed to pay the republic of Panama the sum of \$10,000,000 upon the exchange of ratifications and the sum of \$250,000 a year beginning nine years thereafter. The treaty was ratified by the United States Senate on February 23, 1904, by a vote of sixty-six to fourteen. Thus we looked on with a sympathetic eye while the revolution was hatched, and when the toy republic was set up we dictated to its Government what we wanted in the way of canal rights. The

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XXXIIIThe Revolution in
PanamaThe Treaty
with
Panama

President's course was severely criticized, but he defended it on the ground that Colombia had no right to "bar the transit of the world's traffic" across the isthmus, and on the further ground that an existing treaty negotiated in 1846 between New Granada (afterward Colombia) and the United States justified what he had done in the way of intervention. Colombia of course thought she was treated badly. That she had some right to think so was virtually, although not formally, admitted by the United States Senate in 1921 when that body voted her a compensatory payment of \$25,000,000.

"Making
the Dirt
Fly"

After the ratification of the Bunau-Varilla Treaty the task of building the canal was taken up in earnest. The Panama Canal Co. received its \$40,000,000, and preparations were made for making "the dirt fly." After a great deal of discussion a lock type of canal was agreed upon. At first the canal workers suffered from the ravages of yellow fever and malaria. But under the direction of Colonel William C. Gorgas a systematic war was waged against the insanitary conditions which prevailed along the line of the canal, with the result the zone was transformed into a healthful region. For a time, too, there were drawbacks due to mismanagement. In 1907, however, Lieutenant-Colonel George W. Goethals was made chief engineer, and after this the enterprise moved forward more smoothly and rapidly. At the close of 1912 about 40,000 laborers were at work upon the canal. Three years later it was opened to the ships of the world. The quest begun by the ships of Columbus for a short route to the Indies was at last crowned with success. Vessels that had taken a month to make the voyage around the Horn could now pass through the canal in ten or twelve hours. The opening of the new waterway was celebrated in a fitting manner by holding in San Francisco the Panama-Pacific Exposition.

The
Germany-
Venezuela
Incident

Although the outstanding incident in our foreign relations during the Roosevelt administrations was the controversy with Colombia over the canal project, there were nevertheless several other important international questions that engaged the attention of the State Department. One of these involved the application of the Monroe Doctrine to a situation which arose in Venezuela. As that republic had failed to meet its financial obligations to certain subjects of Great Britain and Germany, those countries in 1902 pro-

ceeded to blockade some of the Venezuelan ports, with the view of securing the payment of the debts by the use of force. Through the mediation of the American Government Venezuela agreed to submit the case to arbitration. Great Britain accepted this plan and withdrew her ships. Germany, however, remained obdurate, being unwilling to relinquish the advantage which the blockade seemed to promise. President Roosevelt, fearing that Germany was planning to occupy territory in Venezuela and thus run counter to the Monroe Doctrine, decided to force the issue. He told the German ambassador at Washington that if the emperor failed to agree to arbitration within ten days, he would send the American fleet to Venezuelan waters to see that the German forces did not take possession of any territory. There was no swagger in the President's ultimatum, for the American navy at the time was more than a match for the German navy, and it was near at hand in West Indian waters available for immediate action. For several days the kaiser held firm, but about twenty-four hours before the ultimatum expired word came from Berlin that Germany would accept arbitration. Thus again a great power of Europe "retired amid the thunders of the Monroe Doctrine."¹ This time, however, the thunder was not heard by the public, for more than a dozen years elapsed before the full story of the Venezuelan incident was given to the world.²

Respect for the Monroe Doctrine also led President Roosevelt to intervene in the affairs of Santo Domingo. In 1904 this little island republic found itself bankrupt, with certain nations, notably France, Belgium, and Italy, pressing hard for the payment of the interest on their claims. The only practicable method of collecting the interest was for the claimant nations to seize the custom-houses of the island and collect the customs duties. President Roosevelt, fearing that such seizure would result in the occupation of American territory by a European power, boldly placed the bankrupt Dominican Republic in the hands of a receiver, the United States acting as the receiver and taking over the administration of the national finances. The arrangement was that the United States should take charge of the custom-houses, collect the customs, turn

Inter-
vention
in Santo
Domingo

¹ See p. 333.

² "Life and Letters of John Hay," by W. R. Thayer; also "North American Review," September, 1919.

over 45 per cent to Santo Domingo, and put the remainder into a sinking-fund for the benefit of the creditors. Here was an extension of the Monroe Doctrine that caused the world to open its eyes. The practical effect of the new policy was to make Uncle Sam a kind of policeman for the western hemisphere. In a message to Congress in December, 1904, the President said: "Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and in the western hemisphere the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power."

ROOSEVELT'S "SECOND ELECTION"

Roosevelt's Nomination

The President's novel and spectacular course in regard to Panama and the Caribbean elicited a great deal of criticism, but the net result of his policy was to heighten his popularity. By the time the campaign of 1904 opened he had captured the imagination of the American people and was as good as nominated by his party as its Presidential candidate. It is true that for a while there was some talk among Republican leaders of nominating Senator Hanna. It was not certain that the senator desired a nomination, but a political fund was raised and steps were taken to carry forward a campaign in his behalf. His death, however, in February, 1904, removed the center of opposition to Roosevelt. When the Republican national convention met in Chicago there was not even the semblance of a contest; the President received the nomination by acclamation. The platform upon which the nominee was to rest his candidacy was devoid of significance. "The significant thing about it was not so much what it contained as what it did not contain." There was in it no recognition of the social and economic problems that were before the country crying for a solution. Its silence about these things comported well enough with the conservatism of the men who were in control of the convention. The temporary chairman was Elihu Root; the permanent chairman, Joseph G. Cannon. Henry Cabot Lodge was chairman of the committee that framed the platform. Murray Crane and Boise Penrose were members of the national committee.

The conservative element had the upper hand also in the Democratic convention which met at St. Louis; for Bryan's hold on his party had been loosened and the "safe and sane" element was in the saddle. The leading candidate put forward by the conservatives was Alton B. Parker of New York. There was in the convention, however, a considerable body of radical delegates who favored the nomination of William R. Hearst, the owner of daily newspapers in five cities, a champion of the cause of labor, and an unsparing opponent of corporations and of corporate wealth. When the first ballot was taken Parker received 658 votes and Hearst 200, the rest being scattered. The whole number of votes was exactly 1000, and 667 (two thirds) were necessary for a choice. Before the result of the first ballot was declared several delegates changed their votes to Parker, and a motion to make his nomination unanimous was carried. The Democratic platform, like that of the Republicans, was remarkable chiefly for what it did not contain. Its most significant feature was its silence upon the money question. Free silver as an issue was abandoned. The reason for dropping it was stated as follows, although the statement did not appear in the platform: "The discoveries of gold within the last few years, and the greatly increased productions thereof, adding \$2,000,000,000 to the world's supply, of which \$700,000,000 falls to the share of the United States, have contributed to the maintenance of a money standard of values no longer open to question, removing that issue from the field of political contention." As soon as Parker was notified of his nomination he telegraphed to the convention that inasmuch as the platform was silent on the money question he felt that the convention ought to know that he regarded the gold standard as firmly and irrevocably established. The convention replied that the platform was silent on the question of a monetary standard because it was the sense of the convention that that question was not an issue of the campaign. Parker was satisfied with the reply, and nothing more was heard of the silver question.

The campaign of 1904 was more listless and uninteresting than any since the Civil War. As the platforms of both parties were colorless documents, there could be no sharp clashes on questions of policy. There was heated discussion about the trusts, but this consisted principally in the pot calling the kettle black. The Republicans could exploit with success the remarkable personality

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Sane"
NominationThe
Democratic
PlatformA Quiet
Campaign

of their candidate, but the qualities of the Democratic candidate were not such as to awaken any great amount of enthusiasm. Judge Parker was recognized by everybody as a man of the highest integrity, but his utterances were too mild and conservative for electioneering purposes. "His long term of service as judge of the highest court of New York, his remoteness from actual partisan controversies, his refusal to plunge into a whirlwind stumping campaign, and his dignified reserve, all combined to prevent his getting a grip upon the popular imagination." He was handicapped, besides, by the lukewarm support he received from Bryan; for although Bryan announced that he intended to vote for Parker, his movements in the campaign resembled those of a man who was sulking in his tent.

In the last days of the campaign a great deal of commotion was caused by a tilt between Roosevelt and Parker on the subject of campaign contributions. Judge Parker called attention to the fact that George B. Cortelyou had resigned the post of secretary of commerce and labor, in which he had headed the department that was investigating the trusts,¹ in order to become the manager of the campaign, and intimated that he was using information he had acquired as a member of the cabinet in order to force large contributions from the corporations. No formal answer to the charge was made until three days before the election when Roosevelt declared in the most positive manner that the statements made by Parker were "unqualifiedly and atrociously false." The Democratic candidate seemed to be demolished by the President's reply, and the country could not help admiring the manner in which the sledge-hammer blow was delivered. But history would not have it that the judge was everlastingly smashed. Subsequent revelations showed that enormous sums had been contributed by corporations to the Republican national committee. Of the \$1,900,000 contributed to Cortelyou's campaign fund about \$1,400,000 came from the corporations. In after years Roosevelt asserted that he knew nothing personally about the corporation contributions; but even so, we can now see plainly enough that while in form Judge Parker's accusation was unfortunate and wide of the mark, in substance it was laden with a considerable amount of unpleasant truth.

¹ See p. 703.



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Theodore Roosevelt

If the facts about the campaign funds had become known before the election the result upon the voting would doubtless have been inappreciable. For the personal attractiveness of Roosevelt was so great that ordinary criticism was powerless to injure his popularity. The people wanted him, corporation contributions or no corporation contributions, and they elected him by the largest majority that had up to that time ever been given to a candidate for the Presidency. The popular vote was 7,677,000 for Roosevelt and 6,407,000 for Parker. The electoral vote was 321 for Roosevelt and 162 for Parker.

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Roosevelt's
Victory

ROOSEVELT'S "SECOND" TERM

Until March 4, 1905, President Roosevelt was restrained in his official action to some extent by the pledge he had made to follow in the footsteps of McKinley. When he entered upon what he called his "second" term he was free to strike out in any direction. In the furtherance of any policy which he might care to adopt he could be counted on to make a hard fight, for he was the chosen leader of the people. Regarding himself as the immediate spokesman of the people, he entertained a very broad conception of his leadership. In his "Autobiography," written in after years, he said: "The course I followed of regarding the executive as subject only to the people, and, under the Constitution, bound to serve the people affirmatively in cases where the Constitution does not explicitly forbid him to render the service, was substantially the course followed by both Andrew Jackson and Abraham Lincoln. Other honorable and well-meaning Presidents, such as James Buchanan, took the opposite and, as it seems to me, narrowly legalistic view that the President is the servant of Congress, rather than of the people, and can do nothing, no matter how necessary it be to act, unless the Constitution explicitly commands action."

A Servant
of the
People

The biggest thing in regard to which Roosevelt asserted his leadership during his "second" term was the railroad question. Back in 1903 at his insistence Congress had in grudging mood passed the Elkins Act forbidding railroads to grant rebates to favored shippers, a half-hearted measure which by no means met the requirements of the situation. In 1905 in his annual message the President made it plain that he was bent on a still wider reform

The
Railroad
Question

in railway matters. He desired the "enactment into law of some scheme to secure to the agents of the Government such supervision and regulation of the rates charged by the railroads of the country engaged in interstate traffic as shall summarily and effectively prevent the imposition of unjust or unreasonable rates. It must include putting a stop to rebates in every shape and form. This power to regulate rates, like all similar powers over the business world, should be exercised with moderation, caution, and self-restraint; but it should exist so that it can be effectively exercised when the need arises."

Congress could not ignore this recommendation. The abuses of the railroads were flagrant, and existing law afforded no remedy. The Interstate Commerce Act of 1887 had become an almost lifeless thing. Congress was hesitant, but it was bound to listen to the popular demand for action. After a long and exceptionally able debate, and despite the presence of the most powerful railroad lobby that ever gathered in Washington, the Hepburn Act was passed in June, 1906. In form this law was an amendment of the act of 1887. It raised the number of members of the interstate commerce commission from five to seven, lengthened the term of members from five to seven years, and brought their salary up from \$7,500 to \$10,000. The underlying purpose of the bill was to bestow upon the interstate commerce commission the power to fix rates. The commission had had power to declare a rate unreasonable, but it had had no power to substitute what it might consider a reasonable rate. This, as we have seen,¹ was in effect no power at all. The act of 1906 authorized the commission, on complaint and after a hearing, to determine and prescribe just and reasonable maximum rates. The law broadened the term "common carrier" so as to bring under the power of the commission not only railroads, but express companies, sleeping-car companies, and pipelines carrying oil. It also prohibited railroads from engaging in the business of mining iron or coal, or producing commodities which they were accustomed to carry as freight, the prohibition being intended to break up the control that the railroads were exercising over the anthracite coal business *in toto*, and over the bituminous coal business in part. But the coal monopoly was not hurt, for in 1908 the "commodity clause" was rendered virtually ineffective by a decision of the Supreme Court. In one

¹ See p. 604.

respect the Hepburn Act was an important statute: it was the first law to give an express grant of the rate-making power to an agency of the Federal Government. Otherwise the act of 1906 had little or no claim to distinction. Its provisions in their practical application were so faulty that the relief which was sought was not found, and, as we shall presently learn, it soon became necessary to pass another railroad law.

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Of lasting benefit to the country was the legislation regulating the inspection of meats and the purity of foods. For a long time it had been an open secret that manufacturers were adulterating their food products, and that animals unfit for human food were being placed upon the market for sale. In 1906, in response to a popular demand, and in line with the urgent recommendations of President Roosevelt, a Meat-Inspection Bill and a Pure-Foods Bill were passed. The first of these measures provided for a system of inspection that would guarantee that the meat shipped in interstate commerce should be derived from animals that were healthy at the time of their slaughter, that it should be prepared under sanitary conditions, and that it should be inspected by officers of the Federal Government. The second measure referred to the sale of foods and drugs. It imposed a penalty for using poisonous or otherwise injurious substances in the adulteration of articles shipped from one State to another, and forbade the false labeling and branding of goods; foods and drugs "must not contain any injurious or deleterious drug, chemical, or preservative, and the label on each package must state the exact facts and not be misleading or false in any particular."

The Meat-
Inspection
and the
Pure-foods
Bills

President Roosevelt was a zealous advocate of conserving the natural resources of the country. He did not originate or secure the enactment of any significant legislation on the subject, yet he brought the subject of conservation before the country in a most impressive manner, and urged with powerful effect the necessity of developing the nation's natural resources in a way that would bring the greatest benefit to the greatest number of people. It was high time that something in this direction should be done, for in dealing with our public domain with its priceless treasures of farming land, forests, minerals, and water-power, the Government had been remiss in the highest degree. Said a United States senator in 1907: "Hitherto our national policy has been one of almost unrestricted disposal of natural resources, and this in more

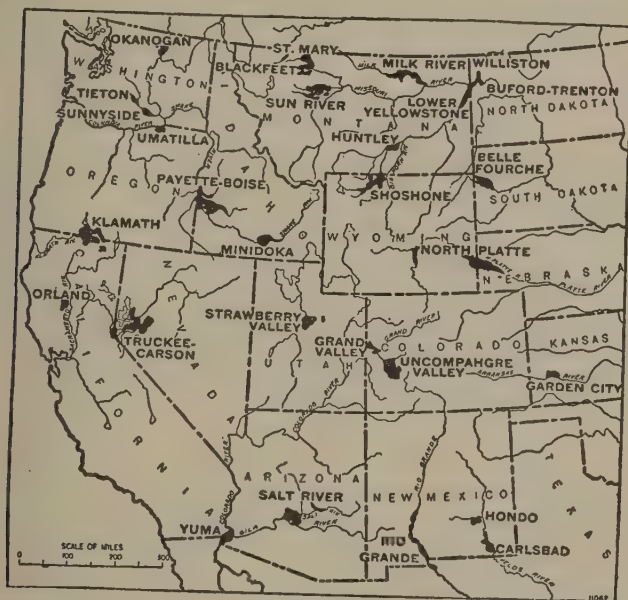
Natural
Resources

lavish measure than in any other nation in the world's history; and this policy of the Federal Government has been shared by the constituent States. Three consequences have ensued: first, unprecedented consumption of natural resources; second, exhaustion of these resources to the extent that a large part of our available public lands have passed into great estates or corporate interests, our forests are so far depleted as to multiply the cost of forest products, and our supplies of coal and iron ore so far reduced as to enhance prices; and, third, unequaled opportunity for private monopoly."

From this description of our prodigality it would seem that for President Roosevelt to talk of conservation was like talking of locking the stable after the horse is stolen. But the case was not so bad as that. The natural resources still in the possession of the Government had a value almost beyond computation, and if a firm policy of conservation were adopted and carried forward in earnest the heritage might be so administered that it would be a source of good to all the people. That it was incumbent upon statesmen to adopt such a policy was urged with great force by President Roosevelt, for to his mind the question of conservation was of paramount importance. In his annual message to Congress in 1907 he said: "The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life. We must maintain for our civilization the adequate material basis without which that civilization cannot exist. We must show foresight, we must look ahead."

No new legislation of great importance was secured, but there were already on the books laws which could be used for promoting conservation. An act of 1891 authorized the President to reserve permanently such forest lands as he deemed expedient. Under the provisions of this law President Roosevelt withdrew nearly 150,000,000 acres of public lands to be set aside as forest reserves. In carrying forward this feature of conservation the President could avail himself of the valuable services of his warm friend Gifford Pinchot, who as chief of the bureau of forestry gathered about him a body of trained assistants and managed our vast forest possessions so as to protect them from waste and destruction. The Reclamation Act of 1902 provided that the money received for public lands in certain States should be spent for irrigation works.

Under this law the President pushed forward the work of reclaiming dry lands, and before many years had passed a member of the reclamation service could write: "Irrigation canals representing an investment of \$150,000,000 and long enough to girdle the globe with triple bands have spread oases of green in sixteen arid States and Territories. An annual harvest of not less than \$250,000,000



Map showing the location of the irrigation projects of the United States Government.

is the desert's response to the intelligent application of water to her sunburnt valleys." While much of this success in reclamation was due to the enterprise of individuals and of States, it was nevertheless President Roosevelt's earnest advocacy of conservation that gave the irrigation movement its greatest strength.

It was in the interest of conservation that President Roosevelt in 1908 summoned to Washington the "conference of governors." This remarkable gathering, consisting not only of the governors of the several States but of many other prominent men, discussed for several days the subject of conservation from almost every

The "Conference of Governors"

point of view. As a result of its deliberations it recommended protection of the source of waters of navigable streams, prevention of forest-fires by both national and State action, extension of practical forestry, the granting of separate titles to the surface of public lands and to the minerals beneath, and the creation of conservation commissions by the individual States. The conference was staged with excellent effect; its discussions had a high educational value; and it caused people everywhere to take greater interest in the natural resources of the country and in their conservation.

THE ELECTION OF 1908

Following
the Exam-
ple of
Washington
and Jeff-
erson

Some of the members of the governors' conference were doubtless fully as much interested in party politics as they were in conservation, for several of them were regarded as "available" as candidates in the Presidential election that was just ahead. Roosevelt's interest in this election, however, was not that of a candidate. Many of his friends thought that he ought to make the race again, but he himself did not think so. In 1904, when the news came that he was elected, he made this statement: "On the fourth of March next I shall have served three and one half years, and the three and one half years constitute my first term. The wise custom that limits the President to two terms regards the substance and not the form. Under no circumstances will I be a candidate for or accept another nomination." This meant that he intended to follow the example set by Washington and Jefferson and refuse another term. When 1908 came he remained firm in his purpose.

The
Republican
Nominee
and
Platform

The position of the President was so strong that he could virtually name his successor. His choice fell upon his secretary of war, William H. Taft, and when the Republican convention met in Chicago his man was nominated on the first roll-call. The Republican platform was of the conservative type. It favored the amendment of the Sherman Anti-Trust Law in such a manner as to provide more publicity and to bestow upon the Government more supervision and control. It advocated a revision of the tariff, declaring that "in all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home

and abroad, together with a reasonable profit to American industries." It advocated the regulation of the issuance of injunctions by the Federal courts, but the language used was unsatisfactory to labor leaders, who had been seeking relief from the power of the courts to issue injunctions in labor disputes. Planks pledging the party to legislation requiring publicity for campaign expenditures, valuation of the physical property of railroads, and the election of United States senators by a direct popular vote were rejected.

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On the Democratic side the followers of Bryan had again secured control of the party machinery and at the convention which met in Denver Bryan was nominated by a great majority. The nominee was the complete master of the convention's proceedings and could write a platform to suit himself. In respect to the trusts he ventured to state precisely what he thought ought to be done. This was something entirely new. There had been a vast amount of talk about "good" trusts and "bad" trusts and about "evolution" and "wise supervision," but never before had a responsible leader of any party come forward with a program stated in language sufficiently specific for statutory enactment. In the platform Bryan wrote:

The
Democratic
Nominee
and Plat-
form

A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal law against guilty trust magnates and officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States. Among the additional remedies we specify three: first, a law preventing a duplication of directors among competing corporations; second, a license system which will, without abridging the right of each State to create corporations or its right to regulate as it will foreign corporations doing business within its limits, make it necessary for a manufacturing or trading corporation engaged in interstate commerce to take out a Federal license before it shall be permitted to control as much as 25 per cent of the product in which it deals, a license to protect the public from watered stock, and to prohibit the control by such corporation of more than 50 per cent of the total amount of any product consumed in the United States; and, third, a law compelling such licensed corporations to sell to all purchasers in all parts of the country on the same terms after making due allowance for cost of transportation.

CHAP.
XXXIIIThe
Campaign

The contest of 1908 failed to elicit any great amount of popular enthusiasm. In some of its aspects the campaign was not a creditable incident in the history of party politics. Some underhanded methods of campaigning were resorted to, no clearcut issue was kept before the public, the discussions were for the most part either vague or evasive, and there was undue obtrusion of personalities. Bryan started out by laying emphasis on the trust question, but he could not force the issue. Doubtless nobody could have forced it, for to the average man it seemed that the trusts had got the situation where it was beyond remedy, that the "egg had been scrambled" and there was no way to unscramble it. At any rate, Bryan's proposals were not very well received. He toured the country but his campaigning had lost its novelty. In the East, where Taft was strongest, Bryan found himself opposed by capitalist forces; in the West he had to face the great popularity of President Roosevelt, who entered into the campaign personally and fought with all his might for the Republican candidate. Bryan protested against the President's activity in the campaign. "For a President," he said, "to use his prestige and influence as a party asset for the advancement of a personal friend is a violation of the obligation that a President owes to the whole body of the people." But Roosevelt could go against Bryan with right good-will, for he regarded him as an unusually inferior candidate. In a letter written during the campaign the President said: "Of course I do not dare in public to express my real opinion of Bryan. He is a kindly man and well-meaning in a weak way. . . . But he is the cheapest fakir we have ever had proposed for President." The subject of campaign contributions gave rise to a great deal of controversy. The Democratic platform declared in favor of the publication of contributions before election. Bryan could exploit this plank to the discomfiture of his opponents, for the public was now informed in part at least of the actual nature of the contributions made when Judge Parker was the candidate.¹ Roosevelt approved of the publication of campaign expenses *after* but not *before* election. He contended that if they were published before the election the information would be used as the basis of "insincere and untruthful argument," and this would result in creating "false impressions" in the minds of voters as to the fitness of candidates. In reply to this Bryan said: "You charge, in effect,

¹ See p. 716.The
Publicity of
Campaign
Contribu-
tions

that the people are so lacking in intelligence that they might condemn as improper contributions which you declare to be proper. . . . Must the members of party organizations act as self-appointed guardians of the people and conceal from them what is going on lest the people be misled as to the purpose and effect of large contributions?" In time the President came around to Bryan's view, for in October, 1910, at Ossawatimie, Kansas, he said: "It is particularly important that all moneys received and expended for campaign purposes should be publicly accounted for not only after election but before election as well."

As the campaign drew to a close the managers on the Democratic side professed to be optimistic, but the general belief was that Taft would be elected. The outcome was a sweeping Republican victory. Taft received 321 electoral votes as against 162 for Bryan. Of the popular vote Taft got 7,678,908; Bryan, 6,409,104; and Eugene V. Debs, the Socialist candidate, 420,792.

Many years will pass, of course, before the historian will be able to assess the achievements of the Roosevelt administrations at their true value. It is interesting, however, to know what the President himself thought of his own work. This can be learned very well from a letter written to Sidney Brooks in December 1908. In this letter Roosevelt said:

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What
Roosevelt
Thought of
His Own
Achievements

"During my term as President I have more than doubled the navy of the United States, and at this moment our battle fleet is doing what no other similar fleet of a like size has ever done—that is, circumnavigating the globe. . . .

"Then take the Panama Canal. I do not think that any feat of quite such far-reaching importance has been to the credit of our country in recent years; and this I can say absolutely was my own work, and could not have been accomplished save by me or by some man of my temperament.

"Again, I think the peace of Portsmouth was a substantial achievement. You probably know the part we played in the Algenciras conference.

"Again, I believe what I did in settling the anthracite coal strike was a matter of very real moment from the standpoint not only of industrial but of social reform and progress.

"Again, I have doubled or quadrupled the forest reserves of the country; have put through the reorganization of the forest service, placing it under the Agricultural Department; and I may add as a small incident, have created a number of reservations for pre-

serving the wild things of nature, the beasts and birds as well as the trees.

“In legislation I succeeded in getting through the national irrigation act in the development of the semi-arid States, of the great plains and Rockies; I think this achievement in importance comes second only to the creation of the homestead act; and indeed in those particular States it is more important than the homestead act.

“During these eight sessions of Congress I have succeeded in getting the administration of the civil government in the Philippine Islands put upon a satisfactory basis; and I got Congress to approve of my action in interfering in Cuba—and here, by the way, let me interject that I think we have given a pretty fair example of international good faith of the kind I preach, for after having our army for the second time for several years in Cuba, we are now about to leave the island prosperous and thriving, and with a reasonable hope that it can achieve self-government for itself; at least, if it can not, it is evident that we have done our best to put it on the road of stable and orderly independence.

“In Santo Domingo, after two years’ delay I got the Senate to ratify the treaty I had made (and under which, incidentally, I had been acting for two years) and have now put the affairs of the island on a better basis than they have been for a century—indeed, I do not think it would be an over-statement to say on a better basis than they have ever been before. The Senate has ratified our actions with regard to South America, and in consequence our position in regard to the Latin-American Republics is infinitely better than it ever has been before; and so, I may add, is the case with Japan, thanks to our demonstrating that we desire to act with fairness and courtesy, and in entire good faith, *and that we carry a big stick.*

“We succeeded in passing a law improving the administration of the army, and also a law improving the administration of the national guard or militia. We got another law passed which established the Department of Commerce and Labor, with the Bureau of Corporations, and thereby enabled us to take the first really efficient step toward exercising proper national supervision and control over the great corporations.

“Partly by law and partly by executive order we have completely reorganized the consular service of the United States. We passed a law giving vitality to the Interstate Commerce Commission, and for the first time providing some kind of efficient control by the National Government over the great railroads. We passed a law

providing for Federal meat inspection of the packing houses, and also the pure food law, both of them of the utmost importance from the sanitary standpoint. In matters of social and industrial reform I got a law creating a juvenile court for the District of Columbia; another, providing for the investigation of the condition of women and child workers of the United States; an employers' liability law for corporations engaged in interstate commerce, and for the Government service itself, and for the District of Columbia; where we have also regulated child labor by law. This means, all told, a considerable sum of legislative achievements.

"We settled the Alaskan boundary dispute; we have laid the Pacific cable. By the establishment of army and navy maneuvers I have, I think, much increased the efficiency of the army and doubled the efficiency of the navy. I have started the movement for the development of our inland waterways as part of the great movement for the conservation of our national resources. I also started the movement for the betterment of the conditions of country life. All these latter, however, have been done by me without the assistance of Congress. Furthermore, through the Department of Justice we have brought big corporations and labor unions impartially before the courts, and have actually brought to justice and secured the punishment by fine and imprisonment of the most powerful wrongdoers in the land. So many successful suits, civil and criminal, have been undertaken by the Department of Justice that I would not even attempt to enumerate them. The anger of labor leaders like Gompers, and of the largest Wall Street magnates on the other side, is a sufficient guaranty of what we have done."

ЦИАП.
XXXIII

NOTES AND CHRONOLOGY

[This matter is indexed. It does not include dates given or subjects treated in the main body of the text.]

1895 Cotton States Exposition held at Atlanta.

1896 Utah and Idaho grant complete suffrage to women.

1897 The new Congressional Library at Washington opened.

1898 Trans-Mississippi Exposition held at Omaha.

Erdman Act passed authorizing the chairman of the interstate commerce commission to endeavor to bring together the employees of any railroad threatened with a strike and if possible effect an immediate and peaceful settlement of the dispute.

1899 International peace conference at the Hague, delegates from twenty-six nations attending. (A permanent court of arbitration was established.)

Admiral Dewey, arriving at New York upon his return from the Philippines, is received with many demonstrations of great popular enthusiasm.

- 1899 Germany announces a naval program looking toward the increasing of her navy to twice its strength.
- 1900 Galveston, Texas, overwhelmed by an inundation. (More than 6,000 lives were lost and the city was left in a devastated condition.)
- 1901 Pan-American Exposition held at Buffalo to illustrate the progress of civilization in the western hemisphere during the nineteenth century. (All the countries of the western world participated.)
- 1903 Department of Commerce and Labor created.
- 1904 Louisiana Purchase Exposition held at St. Louis.
A great fire in Baltimore destroys \$70,000,000 worth of property.
- 1905 The Portsmouth Treaty. (In 1904 Japan and Russia came to blows over the occupation of Manchuria by the latter nation. In June, 1905, President Roosevelt, after consulting with the Japanese minister and the Russian ambassador, urged the contending nations to open peace negotiations with each other. This action resulted in the negotiation of a treaty at Portsmouth, New Hampshire, which brought peace.)
- 1906 Algeciras Convention. (This was called at Algeciras, Spain, in response to complaints by Europeans and Americans that the life and property of foreigners were unsafe in Morocco. It was participated in by the United States and most of the European powers. The agreements of the conference had the result of opening the way to French control of Morocco.)
The Bureau of Immigration and Naturalization is established.
An earthquake and fire destroy a large part of San Francisco causing a loss of over \$400,000,000 and several thousand lives.
- 1907 The Jamestown Exposition is held near Norfolk, Virginia, to commemorate the three hundredth anniversary of the first permanent settlement of Anglo-Saxon people in America.
- 1908 The World Cruise of the American Navy. (On July 7, 1908, a fleet of 16 American battleships left San Francisco for a voyage around the world. The fleet was reviewed by President Roosevelt at Hampton Roads on February 22, 1909, having travelled a distance of more than 42,000 miles.)
- 1909 Polar Exploration. (On April 6, 1909, Commander Robert E. Peary, U. S. N., reached the North Pole, the goal that for centuries had baffled explorers. On January 9, 1909, E. H. Shackleton, of England, reached a point within 111 miles of the South Pole.
Alaska-Yukon Pacific Exposition is held at Seattle.

Suggested Readings

Theodore Roosevelt: Lingley, pp. 448-472.

Roosevelt's "second" term: Stanwood, Vol. II, pp. 77-140; Haworth, pp. 317-340.

Building of the Panama Canal: Lantané, pp. 204-223.

The beginning of a new century: Haworth, pp. 424-447.

Election of 1908: Stanwood, Vol. II, pp. 140-213.

Industrial conditions: Van Metre, pp. 501-518.

XXXIV

A PROGRESSIVE ERA

AT the time Roosevelt went out and Taft came in the word that charmed the popular ear and stirred the popular heart was "progress." A reforming or progressive spirit was manifest in almost every department of American life. So pervasive and so real was the forward-looking tendency that men fondly believed the twentieth century had ushered in a progressive era whose end no man could see.

PROGRESS IN SOCIAL MATTERS

The progressive movement of the twentieth century acquired its greatest strength from educational agencies which were raising the popular intelligence to higher and higher levels. Public schools had been established in such numbers that they could furnish instruction to practically every child in America. In 1900 there were more than 15,000,000 pupils enrolled in our schools; twenty years later the mighty army of learners had increased to more than 20,000,000. Within the same period the annual expenditures for public education increased from \$215,000,000 to more than \$1,000,000,000. Students in public high schools and other secondary institutions numbered 630,000 in 1900, more than 1,000,000 in 1910, and nearly 2,000,000 in 1920. In our colleges and universities the registration in 1900 was about 100,000; ten years later it had nearly doubled, and twenty years later it had trebled. The cause of higher education continued to be supported and advanced¹ by the liberality of wealthy donors. In a single year gifts to educational institutions sometimes amounted to more than \$60,000,000. The munificence of Andrew Carnegie and John D. Rockefeller assumed colossal proportions. With the view of creating an agency by which original investigation and research could receive every possible encouragement Carnegie in 1903 established the Carnegie Institution at Washington and endowed it first and

A Higher
Level of
Popular
Intelligence

¹ See p. 583.

last with \$21,000,000. For the purpose of providing professional pensions and retiring allowances for teachers and officers in colleges and universities he established in 1905 the Carnegie Foundation for the Advancement of Teaching, setting aside for its maintenance a sum which he increased from time to time until in 1921 the endowment of the foundation was nearly \$30,000,000. In 1902 Rockefeller caused to be organized the General Education Board, the purpose of which was to promote education in the United States without distinction as to race, sex, or creed. Into the endowment fund of this board he poured sums which at last reached a total of more than \$100,000,000. In the first eighteen years of its history the board contributed to the colleges and universities of the country upward of \$35,000,000.

Educators were striving to make the schools more practical and useful. There was more eye, ear, and hand work—such as drawing, carpentry, music, sewing, and cooking. Some schools went so far as to furnish vocational training which aimed (1) to assist the younger pupils in finding out what kind of work they were best fitted to perform and (2) to give the older pupils the specific training necessary to prepare them for their chosen vocation. In Gary, Indiana, there was developed what was known as an alternating plan of studies under which the pupils gave half a day to the regular studies and half a day to special activities of various kinds. The Gary System attracted a great deal of attention and in a modified form was introduced in several of the large cities. As the idea of vocational training had found favor in the eyes of our national lawmakers, the Smith-Hughes Act was passed in 1907, providing for the promotion of vocational education through the coöperation of the Federal Government with the States. Under this law the money appropriated by Congress must be used in the paying of salaries of teachers of subjects connected with agriculture and home economics, and every sum of money contributed by the Federal Government must be matched by an equal amount contributed by the State.

Next in importance after the public schools among educational agencies were the public libraries. These included not only city library systems, many with numerous branch libraries, but school, college, and university libraries, county libraries with branches and stations, and State libraries or State library commissions, many of which rendered State-wide service by lending books to

individuals or through the loan of small traveling library collections to schools, clubs, granges, and stores. In 1900 there were less than 7000 libraries with 1000 or more volumes, and they contained an aggregate of 55,000,000 volumes; in 1920 there were probably 20,000 such libraries, containing altogether probably more than 100,000,000 volumes. But the change in the scope and character of the service rendered by libraries was of even greater importance than the increase in their number. "Formerly," says Dr. G. P. Bowerman of the Washington Public Library, "libraries chiefly supplied books to adults of literary tastes. Now special collections in charge of librarians trained in children's literature are general, in order that supplementary education through the library may go hand in hand with school instruction. Supported for the most part by public funds, usually much more meagerly than the public schools, they have in fact become effective supplements of the public schools in training for citizenship. Promoters of library progress have as their goal the supplying of free books and library service to every man, woman, and child in the country." An influential factor in the creation of many new libraries and in the expansion of numerous old libraries was the benefactions of Andrew Carnegie. In twenty-five years he and the Carnegie Corporation gave more than \$40,000,000 to cities and colleges for the erection of library buildings.

In addition to the regularly organized schools and public libraries many supplementary and indirect agencies assisted in spreading intelligence broadcast among the people. The rural free delivery carried the daily newspaper to vast numbers of readers who had not been accustomed to receive it. Between 1901 and 1916 the number of people of the countryside reached by Uncle Sam's postmen increased from 4,000,000 to 26,000,000. In the larger cities free public lectures were established, while in rural communities the Chautauqua Circle attracted large audiences composed of men and women seeking to acquire fresh stores of knowledge. Then the cheap magazine appeared, and readers who could not afford to buy "The Atlantic Monthly" or "The Century" or "Harper's" could satisfy their literary cravings by spending a nickel or perhaps a dime for "The Saturday Evening Post," or "Everybody's," or "McClure's," or "Munsey's."

A result, as it were, of this wider diffusion of knowledge was a desire for the betterment of social conditions. The cry for social

Newspapers
and
Magazines

Social
Reform

reform in the early years of the twentieth century was louder and more insistent than any similar demand that had been made within the memory of men. The movement came not from the top to the bottom, but the other way about. This was to be expected; the route to social reform is not to be sought through forces that have made social reform necessary. Inasmuch as most of the affairs of every-day life are regulated by the State, it was with the State that the reformer first began his labors.

The chief object of the reformer's concern was the working-man. More was done for the working classes in the first two decades of the twentieth century than had been done for them in the entire previous century. In almost every State the legislature was busy enacting laws providing for the safety, comfort, and general welfare of toilers. The warfare against child labor and against the overworking of women in factories was conducted with such vigor that few States failed to enact laws forbidding the employment of children too young to work and limiting the number of hours that women could be lawfully employed. In most of the States children less than fourteen years of age were absolutely excluded by the new legislation from employment in factories, mills, and workshops; and in almost half the States it was declared unlawful for children less than sixteen to be employed for more than eight hours a day. In about three fourths of the States it was provided that women should not be employed for more than ten hours a day, while in a few States the limit for women was fixed at eight hours. The constitutionality of legislation of this kind was upheld in 1908 by the Supreme Court of the United States. "As healthy mothers," said the court, "are essential to vigorous offspring, their physical well-being becomes an object of public interest and care in order to preserve the strength and vigor of the race." There was an avalanche of laws designed to protect working-men from the distressing results of accidents. In more than forty States employers' liability laws were passed providing compensation for employees injured while in the performance of their tasks. It was high time that workmen should be given such protection, for it was estimated that in 1908 two million men were injured, of whom 200,000 were permanently disabled and 30,000 died, a casualty list comparable to that of a campaign in a great war. In more than a dozen States lawmakers, finding that large classes of unskilled workers were paid wages far too low for decent living, came to

the relief of such underpaid employees with minimum-wage laws. These undertook to fix a living wage, a wage that was sufficient for "the normal needs of the average employee regarded as a human being living in a civilized country." Pensions for indigent mothers became a popular form of extending the helping hand of the State. For example, in Massachusetts the law provided that in every city and town the overseers of the poor should aid mothers with dependent children under fourteen, the aid provided to be sufficient to enable the mothers to bring up the children properly in their own homes. Mothers' pension laws were enacted in nearly forty States, and more than 100,000 mothers and children were benefited by the relief. The widespread approval that was given to the movement for mothers' pensions indicated that in the popular mind there was a deep-rooted conviction that no child ought to be deprived of home life and a mother's care.

Although the first efforts to ameliorate conditions in the labor world were made by the State, it was not long before the reformer was knocking at the door of the Federal Government. Congress, even if it had cared to do much, could do but little, for its power in respect to labor matters is small. Still, there were some things that came within the sphere of Federal authority and there were enacted by Congress a few measures bearing upon the problems of the working-man. In 1898 the Erdman Act was passed. This authorized the chairman of the interstate commerce commission to endeavor to bring together the employees and employers of any railroad threatened with a strike and if possible to effect an immediate and peaceful settlement of the dispute. In 1908 an act was passed making interstate railroads responsible for injuries to employees, thus extending the benefits of an employers' liability law to hundreds of thousands of trainmen. Congress also provided compensation for employees injured in the Federal service. In order to reach the subject of child labor by Federal action a law was passed excluding from interstate commerce all goods produced in factories or mines in which children less than fourteen years of age were employed. This reform, however, came to grief; the Supreme Court declared the law unconstitutional on the ground that it was not an attempt to regulate commerce, but an attempt to regulate the conditions of manufacture. In 1919 Congress, making another attempt to regulate child labor, passed a law imposing a tax of 10 per cent on the net profits of factories

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employing children not fourteen years of age. But the second law also came to grief, for in 1922 it was nullified by a decision of the Supreme Court. Thus it seemed that if child labor was ever to become a subject for Federal action the Constitution would have to be amended.

Private
Agencies
of Reform

It was not only through the power of government that men and women were striving to make the world better. Powerful private agencies were also set in motion for social betterment. Charity organization societies extended their work and increased in number until almost every small city had an agency by which the poor could be helped in a rational and scientific manner. Hospitals founded by private munificence also increased in number to such an extent that in some sections of the country almost every locality had a hospital in which the sick could be cared for at a reasonable rate. The Red Cross Society, which was originally organized for the purpose of mitigating the horror of war by alleviating the suffering of the sick and the wounded, broadened the field of its usefulness and ministered to the needs of those who suffered from disease or as a result of fire or flood, or the catastrophes of nature. The Russell Sage Foundation, organized in 1901 with an endowment of \$10,000,000, devoted its energies to the broad social mission of discovering and eradicating as far as possible the causes of poverty and ignorance. Among the popular aspirations of the time was a desire for peace, and it was with the view of preventing war that the Carnegie Endowment for International Peace, endowed with \$10,000,000, undertook to establish among nations a better understanding of international rights and duties, so that nations might be willing to accept peaceful methods of settling their disputes. The public health of the whole world became the concern of the Rockefeller Institute for Medical Research, an institute founded in 1913 by John D. Rockefeller with an endowment of over \$12,000,000.

THE RENASCENCE OF DEMOCRACY

Popular
Government
Not Work-
ing Well

The success of the movement for social and industrial reform was due chiefly to the fact that the people were now pushing to the front and asserting themselves as the rightful masters of government. For the most conspicuous feature of this progressive time was the renaissance of democracy. All over the country the

people were coming to feel that popular government was not working, that the voters did not in fact direct the course of affairs. Men said: "We vote, we are offered platforms, we elect the men who stand on those platforms, but when government acts we are forgotten; the real object of government seems to be the fostering of the interests of the few and not of the many." The trouble was that the people had allowed themselves to be separated from their government and it had become a thing apart. "The people," said Woodrow Wilson, "have stood outside and looked on at their own government, and what they have had to determine in past years has been which crowd they would look on at; whether they would look on at this little group or that little group who had managed to get the control of affairs in its hands."

In the opening years of the twentieth century there were unmistakable signs that the people were growing tired of merely looking on at their government. Indeed, even in the last years of the nineteenth century they had begun to demand a more direct participation in government business. In 1898 the voters of South Dakota brought into use a political device by which the people might themselves engage personally and directly in the business of law-making—the device of the initiative and referendum. Here was a democratic contrivance that might well alarm the beneficiaries of invisible government; for the initiative, besides giving life and power to the old right of petition, enables the voters to enact any law they want, while the referendum enables them to veto any law they do not want. The practical application of "direct democracy" in South Dakota appealed strongly to progressive-minded people everywhere, and agitation in behalf of the initiative and referendum spread to all parts of the country. The movement met with success in State after State, and in one form or another the initiative and referendum were adopted in twenty-three States—South Dakota, Oregon, Montana, Oklahoma, Maine, Missouri, Arkansas, Colorado, Arizona, New Mexico (referendum only), California, Nevada, Michigan, Ohio, Nebraska, Utah, Washington, Idaho, North Dakota, Kansas, Louisiana, Massachusetts, and Maryland (referendum only).

"Direct
Democracy"

From direct legislation to direct administration was only a short step, and it was taken. The initiative and referendum were supplemented by the recall, a device by which an elected officer on petition or complaint of a certain percentage of the voting popu-

The Recall

lation, say, 20 to 25 per cent, may be compelled to stand for reëlection before the expiration of his term and be retired if he fails of reëlection. The first State to adopt this device was Oregon, whose constitution was so amended in 1908 as to make all election officers subject to recall. The example of Oregon was followed by Nevada, Colorado, Arizona, California, Kansas, Michigan, Louisiana, Idaho, and Washington, although in the last four of these States the recall does not apply to judges.

The proponents of direct popular action were enthusiastic in their belief that the initiative, referendum, and recall would prove to be the one thing needful, the panacea of democratic ailments. To some extent they were not disappointed. In several of the States the reforms were put to the test and proved to be a success. But it was found that the new machinery was not automatic, that it would not work unless the people bestirred themselves and took it in their hands and worked it. We can now see that while the advantages of direct legislation are many they can be fully enjoyed only where the people by instinct and tradition are intensely democratic, where the popular interest in public affairs is keen, universal, and sustained, and where the average of popular intelligence is very high. But the movement was worth while. In the States where machinery for direct legislation was installed there was concealed behind the door a gun upon which voters could rely in an emergency, and time and time again the emergency arose and the gun was used.

More significant than the movement for direct legislation was the attack upon the old convention system of nominating candidates. Under this system the voters found that their power in matters of party management was slipping away, and that their wishes were being ignored and even defied. "In theory," said Charles E. Hughes, "party candidates are selected by those who have been chosen by the party voters to represent them in conventions. In practice the delegates to nominating conventions are generally mere pieces on the political chess-board, and most of them might as well be inanimate so far as their effective participation in the choice of candidates is concerned. Party candidates are in effect generally appointed by those who have not been invested with any such appointing power." That is to say, the candidates were not, in fact, named by the convention, but by self-constituted "bosses" who controlled the convention from the

outside. Accordingly, in order that the voters might cast their ballots for candidates of their own choosing, the direct primary was instituted. The reform came out of the West. In 1897 Robert M. La Follette began to work for direct primaries in Wisconsin and in 1903 that State adopted a State-wide primary law. The next year Oregon, bringing into use the newly adopted system of direct legislation, enacted a law providing for direct nominations. Public opinion in almost every section of the country was in favor of the reform. State after State abandoned the convention system and substituted the direct primary. By 1915 thirty-seven of the forty-eight States were nominating candidates by the direct method. At first the new primary laws applied to offices created under State authority, but presently the voters were given an opportunity to express by direct vote their preference in respect to Presidential candidates. Oregon in 1910 enacted a Presidential preference law, and within two years the device in one form or another was in use in thirteen States.

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The desire for direct democracy led to the election of United States senators by popular vote. As far back as 1893 a constitutional amendment providing for the direct election of senators was passed in the House of Representatives by the requisite two thirds vote, but it was blocked in the Senate. In succeeding years the House again and again passed the amendment, but the Senate always resisted the change. At length the reformers by "indirection found direction out." In 1904 Oregon, the laboratory in which many political experiments were tried, provided that senatorial candidates should be nominated in State-wide primaries; that candidates for the State legislature should give a voluntary written pledge to vote for the senatorial candidate receiving the greatest number of votes at the primaries; and that the legislature when choosing a senator should be regarded as under moral if not under legal compulsion to ratify the popular verdict. The Oregon plan worked and the new system spread rapidly. By 1910 nearly three fourths of the States were nominating candidates for the Senate by some kind of popular primary and the legislatures were bowing to the will of the people. There was now nothing for the Senate to do but give way and consent to an amendment providing for popular election in a constitutional manner. In May, 1912, the long-desired amendment, which had been carried through both branches of Congress, was submitted to the States for ratification.

The
Popular
Election of
Senators

It was promptly ratified by the legislatures of three fourths of the States and thus on May 31, 1913, became a part of the Constitution. To the mind of Bryan, who for twenty years had been working to secure the popular election of senators, this reform was the gateway to other national reforms; and he rejoiced greatly when as secretary of state he was called upon officially to proclaim the adoption of the amendment. Other statesmen were not so enthusiastic. Senator Root, who opposed the amendment, thought it was a dangerous tampering with our institutions. His principal objection to the change was that it was inconsistent with the fundamental design of the Senate. "The purpose of the Constitution," he said, "was to create in the Senate a body which would be as unlike as possible to the other house. It was to be a body more secure in its tenure, different in the manner of its election, different in its responsibility, more conservative, more deliberate than the other house, which responds year by year to every movement of the public mind and the public feeling."

While the heather was on fire for a democracy that would mean the rule of the people, the women proclaimed that they were people and demanded the vote. We have seen that before the Civil War a movement toward equal suffrage had been made under the leadership of Elizabeth Cady Stanton.¹ After that war the women in the new States of the Far West demanded the ballot, and by 1896 four States—Wyoming, Colorado, Utah, and Idaho—had adopted woman suffrage. With the rise of the progressive movement the campaign for extending the suffrage to women on equal terms with men began in earnest. There were coercive reasons now why the women should press their claims to political rights. They were assuming a greater prominence in political affairs than they had ever before attained, and they were going out into the industrial and professional world and facing life as men were facing it. The census of 1900 showed that upward of 5,000,000 women were engaged in self-supporting pursuits. The conditions which forced women into the industries had a tendency to force them also into political strife. When they appealed to the public demanding a share in government their claims were listened to, and State after State was won for equal suffrage. By 1914, in addition to the four States just mentioned, California, Washington, Oregon, Arizona,

¹ See p. 315.

and Kansas were allowing women to vote, and the movement was sweeping on.

CHAP.
XXXIV

Municipal
Reform

Another reform which was now receiving popular support had for its aim the better government of our cities. No more worthy subject could have claimed the attention of the people, for although our urban population was growing at a tremendous rate municipal government throughout the land was so corrupt and inefficient that it was becoming a national shame and disgrace. In the carrying out of their plans the municipal reformers availed themselves of the device known as the "short ballot," the purpose of which is to enable the voter to make an intelligent choice of candidates by making only the most important offices elective and voting for only a few officers at a time. In order to apply the principle of the short ballot, it was necessary to do away with the historic council system with its elaborate and often unwieldy organization and establish in its place what came to be known as the commission system. The commission form of municipal government was first set up in Galveston after the disastrous inundation of 1900. Galveston was followed by Des Moines, and then by other cities in rapid succession. Under the commission system large powers, both legislative and executive, are vested in a single small group of officers—usually five in number—elected by the whole body of voters within the city without regard to the interest of any political party. The new plan therefore undertook to lift the administration of municipal affairs out of partisan politics. The plan worked so well that it grew rapidly in favor, and in the course of a few years several hundred cities had adopted the commission form. Another municipal reform was the city-manager plan. This was a modification, or rather an advanced form, of the commission system. It had for its aim a very great concentration of the executive authority. Where it was adopted the entire administration of the affairs of the city was entrusted to a single executive officer—the city manager—appointed by the elective commission or council. The manager plan was first put into operation in 1912 in the little city of Sumter, South Carolina. The next year, after the great flood in the Miami Valley, it was adopted by Dayton. City after city followed the example of Dayton, and within a few years the city manager had been installed in more than a hundred municipalities.

Taft was not enamoured of all these reforms. To some of them he turned a face as hard as flint. Doubting the virtues of direct democracy in most of its forms, he shuddered at such an idea as the recall of judges. Yet he was not obdurate in his conservatism. In most things he was willing that his administration should conform to the progressive spirit of the day. Like Van Buren, he was under deep obligations to the President who preceded him, and like Van Buren he indicated in his inaugural address on March 4, 1909, a purpose of following in the footsteps of his distinguished predecessor. He doubtless felt that this would not be a difficult thing to do, for his predecessor in his administrative methods had in the main pursued an essentially conservative course.

In selecting his official family the new President surrounded himself with men of the conservative type, the kind of men with whom he had been accustomed to associate in the Roosevelt cabinet. Two members of the existing cabinet were retained. These were James Wilson of Iowa, the veteran secretary of agriculture, and George von L. Meyer of Massachusetts, who was transferred from the Post-office to the Navy Department. Philander C. Knox, who served under Roosevelt as attorney-general in 1901-04, was selected as secretary of state. The other members of the Taft cabinet were: Franklin MacVeagh of Illinois, secretary of the treasury; J. M. Dickinson of Tennessee, secretary of war; R. A. Ballinger of the State of Washington, secretary of the interior; Charles Nagel of Missouri, secretary of commerce and labor; George W. Wickersham of New York, attorney-general; and F. H. Hitchcock of Massachusetts, postmaster-general. All the members of the new cabinet but two were lawyers.

There was nothing peculiar in the composition of this cabinet; yet as soon as its make-up was announced the President was subjected to a fire of criticism. He was charged with having surrendered to reactionary influences. Instead of retaining the Roosevelt secretaries he had appointed a "lawyers' cabinet" and had surrendered to corporation attorneys. There was nothing in the situation to justify animadversions of this sort. Of the seven Roosevelt secretaries who were passed over by Taft, five were lawyers, one (Truman H. Newberry, the secretary of navy), a business man with extensive corporation connections, and one

(Robert Bacon, the secretary of state), a banker who had been a member of the firm of J. P. Morgan. The cabinet selected by Taft was no more lawyer-ridden and no more corporation-ridden than was the cabinet which was in existence when he began his term.

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In accordance with tariff promises made in the Republican platform in 1908, President Taft called Congress to meet in extra session on March 15 in order that consideration might be given at once to the bill revising the Dingley Act. Without delay Sereno E. Payne of New York brought into the House a bill prepared by the Committee on Ways and Means. After a rather brief and perfunctory debate the measure was passed in the House by a vote of 217 to 161, one Republican opposing it and four Democrats supporting it. It then went to the Senate, where as usual the sentiment was for duties higher than those fixed by the House. The fight for changes that would make the bill more acceptable to the protected interests was led by Senator Aldrich, one of the ablest men in Congress. "Alert, astute, somewhat cynical, silent except when questions were to be answered, he was known to be exceptionally familiar with all branches of the country's industries, and to be armed *cap-a-pie* against attack from every quarter."¹ When the bill came from the deft hands of this master 847 changes had been made, many of them important and most of them in the direction of higher rates. The bill as it came from the House had revised the rates generally in a downward direction. When the measure went to the conference committee President Taft, who had pledged himself to a downward revision, intervened with his influence and succeeded in getting hides on the free list. He also succeeded in having a tax on the net earnings of corporations substituted for an inheritance tax. In the main, however, the measure came from conference in a form that suited Aldrich. After a considerable amount of legislative jockeying the bill was passed by both houses and became a law on August 5, 1909.

The Payne-
Aldrich
Tariff

The Payne-Aldrich Bill was a conspicuous application of the doctrine that the "true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries." That is to say, the Aldrich Law, like the Dingley and McKinley bills, simply continued the policy of guaranteeing a profit to the American manu-

¹ F. A. Ogg, "National Progress," p. 331.

facturer. In the opinion of Professor Taussig the new law made no essential change in our tariff system. "It still left," he said, "an extremely high scheme of rates and still showed an extremely intolerant attitude on foreign trade." On metals, lumber, and leather the duties were slightly reduced, but the rates on woolen goods (schedule K) were left virtually untouched. Upon hosiery and all the better grades of cotton goods, the rates which prevailed under the Dingley Bill were raised.

While the Payne-Aldrich Bill was before Congress the country could see that harmony among the Republican leaders had ceased to exist. In the House there was an influential group of recalcitrants led by Representatives Murdock of Kansas and Norris of Nebraska, who were constantly challenging the authority of the conservative leaders and obstructing them in their plans. These insurgents called themselves "progressives," while the epithet of "stand-patters" was bestowed upon the conservatives. In the Senate the tide of insurgency was equally strong, if not stronger. Here Dolliver of Iowa, Bristow of Kansas, and La Follette of Wisconsin, all of whom favored a general downward revision of the tariff, denounced the Payne-Aldrich Bill in unsparing terms, and made strenuous efforts to defeat it. The strength of the insurgent element was shown when the final vote on the bill was taken: twenty Republican representatives and seven Republican senators refused to vote for it.

At the very time that insurgency was boiling in Congress there was raging in executive circles a storm that was widening the rift between Republican "progressives" and the "stand-patters." The apple of discord was the Pinchot-Ballinger controversy. President Roosevelt just before he retired from office withdrew from sale large tracts of public land on which there was much valuable water-power. He did this in order to prevent the water-power sites from falling into the hands of syndicates and corporations. Ballinger, the new secretary of the interior, regarding the action of the former President as not within the letter of the law, at once revoked the order for withdrawal, and in doing so drew fire from the chief forester, Gifford Pinchot, a warm personal friend of Roosevelt and a champion of conservation. Pinchot, in a public address, asserted that the water-power sites were being grabbed by a trust. His speech created a sensation and was interpreted as an attack upon Ballinger, who was his official superior. The result of the

chief forester's charges was to create an impression in the public mind that Ballinger was in league with men who were aiming to secure control of the nation's natural resources. The distrust of Ballinger was deepened when L. R. Glavis, an employee in the Interior Department, declared that Ballinger before entering the cabinet had acted as attorney for the men who were pushing the claims—known as the Cunningham claims—to valuable coal deposits in Alaska. Glavis contended that the claims were fraudulent, and there was a popular suspicion that they were part of a conspiracy by the "Morganheims"—as the Morgan-Guggenheim syndicate was sometimes called—to get possession of vast natural resources in Alaska.¹ These charges were examined by the President, with the result that Ballinger was exonerated and Glavis dismissed from the service. Pinchot then came forward in defense of Glavis, and the chief forester, too, was removed from office in January, 1910. A joint committee of Congress investigated the matter and after exhaustive hearings reported by a party vote that the charges against Secretary Ballinger were unsustained by the evidence given. But the investigation was stigmatized as whitewashing. Ballinger retired from the Cabinet. Although the charges against him may not have had sufficient merit to carry conviction they nevertheless had an important bearing upon current politics. The controversy caused many of ex-President Roosevelt's followers to break away from Taft and yearn for the old leadership.

Coincident with the Ballinger-Pinchot incident, and of the same cloth politically, was the movement in the House of Representatives against "Cannonism." The speaker, Joseph G. Cannon of Illinois, was dominating the procedure of the House in a way that "Czar" Reed had never dreamed of. Under the rules the speaker had the power of appointing all of the committees and designating the chairmen. Moreover, he controlled that powerful engine of procedure, the Committee on Rules, which has the power of bringing in at any time a "special rule" or order appointing a certain time for the consideration of a bill and can determine the conditions of debate—how long members may speak, whether amendments to a bill may be offered or not, when a vote shall be taken.

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The Over-
throw of
"Cannon-
ism"

¹ It was afterward admitted by a representative of the Morgan-Guggenheim syndicate that his company held options on many of the Cunningham claims, all of which were in time declared by the courts to be valid.

This committee consisted of five persons, the speaker, two Republicans, and two Democrats. As the Republican members were appointed by Cannon and it was easy to ignore the Democrats, the speaker was virtually the whole committee and could generally exercise a substantial control over the business of the House. The insurgents, who had felt the "heavy hand" of "Uncle Joe" on different occasions, set out to break his power. George W. Norris, on March 19, 1909, introduced a resolution to increase the number of members of the Committee on Rules from five to ten, to provide for the election of all members by the House, and to exclude the speaker from membership. When objection was made that the resolution was out of order there began a spectacular parliamentary battle. On one side were the insurgents and Democrats trying to get a vote on the resolution. On the other side were the speaker and his "stand-pat" Republican supporters attempting to postpone the vote until absentee friends could be brought in. When at last after twenty-six hours of continuous session had passed and when the voting could be no longer postponed the speaker ruled that the resolution offered by Norris was out of order. On an appeal from his decision, thirty-five Republican insurgents voted with the entire body of Democrats and the speaker was overruled. Thereupon a rule closely following the Norris resolution was adopted. Thus "Cannonism" was overthrown.¹

The dissension within his party did not prevent the President from giving the country a good administration. His management of the finances was admirable. When he took hold fiscal affairs were not in a healthy condition. The outgo was greater than the income and there was a deficit of \$50,000,000 staring him in the face. By prudence and firmness he not only filled up the hole but handed on to his successor a very substantial surplus. He was a good friend to conservation, even if he was charged with being its enemy. The places made vacant by the dismissal of Pinchot and his associates were filled by men who were loyal to the policy of conservation. Many millions of acres of the public domain upon which there were water-power sites, and vast stores of coal and minerals were withdrawn from entry and thus reserved for the people. The army was reorganized on the basis of greater

¹Two years later when the Democrats had a majority they took from the speaker the appointment of all remaining standing committees and thus completed the reform. The speaker was now a presiding officer and nothing more.

efficiency and economy and the administration of naval affairs was materially improved. To these administrative matters President Taft gave his best energy, believing that his highest duty was not to secure legislation but to execute the statutes which he found on the books.

Although Taft was a conservative, a great volume of progressive legislation was passed during his administration. It was bound to be progressive, for the spirit of the nation was inclined that way. Among the constructive measures was an act passed in June, 1910, establishing a system of postal savings-banks. These banks were designed as depositories in which the savings of thrifty people might be deposited with absolute safety and at the same time bear $2\frac{1}{2}$ per cent interest. Another act in May, 1910, established the bureau of mines. The main object of this law was to provide for investigation into the causes and means of preventing mine accidents with the view of lessening the losses of life and waste of resources in the mineral industries of the country. Still another law in harmony with the progressive movement was the act of June, 1910, which required the publication of the names of persons contributing to the Federal campaign funds of the political parties and the amounts contributed, as well as a detailed account of the expenditures of the committees and the purposes for which the expenses were incurred.

The most important law passed during the Taft administration was one increasing the power of the interstate commerce commission over railroads. As the Hepburn Act¹ had failed by reason of its weakness, Congress in June, 1910, passed the Mann-Elkins Act. This was a law that had teeth in it. Under the Hepburn Act the commission could reduce a rate upon the complaint of a shipper, but experience showed that before an order for rate reduction could be carried out a very long time must elapse and the shipper must continue to bear the burden of the unreasonable rate. The Mann-Elkins Law therefore came to the relief of the shipper by giving the commission power to make investigations upon its own motion and with its own agents, and if it found rates unreasonable it was authorized to change them, even though shippers had made no complaint. Moreover, under the new law, proposed new rates could be suspended in their operation by the act of the commission, and if they were found by that body to

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Progressive
Measures

Giving
Teeth to the
Railroad
Law

¹ See p. 718.

be unjust or unreasonable they could not be put into operation at all. In the original bill there was a clause forbidding issues of railroad stocks and bonds unless approved by the commission. This was a provision of the utmost importance, for many of the evils attending railroad management grew out of the unwise and unregulated issuance of stocks and bonds. But the proposed reform was strangled; the clause relating to the regulation of bond issues was stricken out in the Senate.

Roosevelt
and the
"stand-
patters"

While Congress in the summer of 1910 was engaged in making these laws, members were looking forward to the congressional elections that were to be held in the autumn. As the eyes of the Republicans swept the political skies they could not help seeing that a storm was portending and that the outlook for their party was dark. The Payne-Aldrich Tariff was an unpopular measure, and was sure to bring about a fight in the Western States. The Republican insurgents were becoming more troublesome, and it seemed that the party was about to split. The cost of living was increasing and was producing discontent. Furthermore, ex-President Roosevelt was back from Africa whither he had gone for a hunting trip. Would his tremendous influence be thrown to the insurgents or to the old-timers of the party? The country was not long in finding out on which side Colonel Roosevelt stood. Entering into the fray of New York State politics, he unhorsed William Barnes and his stand-pat associates and secured control of the party organization. On a speaking tour which he made through the country he gave unmistakable signs that the insurgent element of his party could rely upon his support. At Ossawatimie, Kansas, he delivered an address on August 31, 1910, in which he set forth his creed of New Nationalism. Changed conditions, he said in this address, required labor legislation, direct primaries, the recall of elective officers, a more thorough control of corporations, and progressive legislation in regard to income taxes. The power of the Federal Government, he urged, should be brought into use for eliminating the "twilight zone"¹ between State and nation, that "neutral ground" which served as a refuge for law-breakers. "The New Nationalism," he said, "puts the national need before sectional or personal advantages. It is impatient of the utter confusion that results from local legislatures attempting to treat national issues as local issues." The result of the campaign was

The "New
National-
ism"

¹ See p. 596,

a victory for the Democrats greater than they had dared to expect. Aided by the factional differences in the ranks of the opposition they secured a majority of more than sixty in the House of Representatives, while in nine States the Republicans were ousted from legislatures that would elect United States senators. Democratic governors were elected in such Republican strongholds as Maine, Massachusetts, Connecticut, and New Jersey. In New Jersey the successful candidate for governor was Woodrow Wilson, a scholar in politics and a former president of Princeton University.

President Taft now had to deal not only with the Republican insurgents but with a Democratic majority in the House as well. During the second half of his term, therefore, he could not expect smooth sailing. Still, this period was by no means barren of progressive measures; for there were progressives among the Democrats as well as among the Republicans. Two constitutional amendments were submitted by Congress to the States for ratification. One of these provided for the popular election of senators, a subject which has already received attention.¹ The other empowered Congress to levy an income tax without the necessity of apportioning it among the States according to population. Both amendments were ratified. The income tax amendment was proclaimed a part of the Constitution on February 25, 1913; the other about three months later. The Post-office Department was authorized on August, 1912, to establish a parcel-post system whereby packages of considerable weight might be sent through the mails at little cost. A Department of Labor was organized with a secretary who was to be a member of the cabinet. In the new department was established a children's bureau, whose duty should be to investigate and report upon all matters pertaining to the welfare of children and child life. President Taft secured from Congress authority for entering into a reciprocity pact with Canada whereby it was agreed that the duties on certain Canadian products, such as lumber, paper, and wheat, should be abolished or lowered while corresponding concessions should be made to American agricultural implements and certain other American commodities. Nothing, however, came of the reciprocity movement, for the people of Canada by a popular vote expressed their disapproval of the arrangement.

Two Constitutional
Amend-
ments

¹ See p. 738.

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The
Rounding
Out of the
Sisterhood
of States

During the Taft administration the Federal organization of the contiguous territory of the United States was completed. The admission of Oklahoma as a State was proclaimed by President Roosevelt. The stream of emigration which had begun to pour into the New Southwest in the early nineties¹ flowed steadily, with the result that by 1900 the combined population of the Indian and Oklahoma Territories amounted to nearly 800,000. A protracted struggle to obtain statehood for Oklahoma ended in 1907 by uniting Indian and Oklahoma Territories and admitting the amalgamated community as the State of Oklahoma. When Oklahoma entered the Union it was already a great and powerful State, for its population was nearly 1,500,000 and its wealth was vast. Development in the New Southwest extended to New Mexico and Arizona, and by 1912 these Territories were ready for statehood and were admitted. With the admission of New Mexico and Arizona the story of the westward movement came to an end and the sisterhood of States was rounded out.

The Legal
Warfare
Against
the Trusts

President Taft's law officer carried forward the suits which were brought against the trusts under the Sherman Law in the Roosevelt administration,² and in 1911 he secured decisions by the Supreme Court in the case of the Standard Oil Co. and the American Tobacco Co. Both companies were declared guilty of violating the Sherman Anti-trust Law and were ordered to dissolve and break up into their component parts. They were also restrained "from by whatever device recreating directly or indirectly the illegal combination." In the written opinion which dissolved the Standard Oil Co. was an *obiter dictum*³ to the effect that the Sherman Act should not be construed as prohibiting all contracts and agreements that may seem to restrain trade but only such as in their nature are *unreasonable* and contrary to the general welfare. That is to say, the court wrote into the statute the "rule of reason": before it can be said that a contract or a combination is within the purview of the prohibition of the Sherman Law the unreasonableness of that contract or combination must be demonstrated. Since in our constitutional history the *obiter dictum* of a decision, like a woman's postscript to a letter, has often

¹ See p. 625.

² See p. 705.

³ "A decision of a court is its solution of a litigated controversy: an *obiter dictum* of a judge is a statement of some idea upon which that solution does not depend." ("American Law Review"; Vol. XLV, p. 719.)

been the most important part of the document, the "rule of reason" announced by the court attracted more attention than the fate of the company which was dissolved. In the business world the new interpretation was warmly acclaimed: "It frees honest business men," said "The New York Times," "from their doubts, from their dread, from their want of confidence almost akin to despair. It is an emancipation proclamation issued to the industries of the United States." But the rule of sweet reasonableness had its critics, none of whom was more severe than a member of the Supreme Court itself, Justice Harlan, who in a dissenting opinion regarded the *obiter dictum* as nothing less than an amendment to the statute, and said: "The most alarming tendency of this day, so far as the integrity of our institutions is concerned, is the tendency to judicial legislation, so that, when men having vast interests are concerned and they cannot get the lawmaking power of the country which controls it to pass the legislation they desire, the next thing they do is to raise the question in some case to get the court to construe the Constitution or the statute as to mean what they want it to mean."

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"The Rule
of Reason"

Aside from the suspicion that the "rule of reason" might have lurking within it implications of a dangerous nature the decisions gave general satisfaction. The enforced dissolution of the two mammoth combinations was hailed as a great victory over the trusts. But it was hardly anything more than a legal victory. The economic effects of the dissolution were practically imperceptible. Competition in the industries affected by the decision was not restored, monopoly was not checked, the power of the old holding company was not broken. The stocks of the Standard Oil group advanced thirty points within five days after the decision for dissolution was rendered, and within a few months after the dissolution was effected the combined market valuation of the several disassociated properties jumped from \$660,000,000 to \$885,000,000.

ARMAGEDDON

The trust decisions were handed down at the time the politicians were beginning to take thought of the coming campaign. That there was trouble ahead for the Republicans everybody could see, for the tide of insurgency within their ranks was rising higher and higher. President Taft was in the field for renomination, but

The
Progressive
Republicans
Organize

his candidacy was bitterly opposed by the progressive element of his party. Early in 1911 the National Progressive Republican League was organized with the view of carrying forward the work of reform. The organizers of the league included many of the insurgents in Congress and leaders like Louis Brandeis, Gifford Pinchot, and William Henry White. Although the league did not positively pledge itself to the support of any candidate, at a conference held later in the year it declared that Senator Robert La Follette was "the logical candidate for President on account of his experience, character, courage, his record of constructive legislation and administrative ability." La Follette had led a reform movement in Wisconsin that had made his State a thoroughly progressive community and he had enthusiastic followers in parts of the West and Middle West. Encouraged by the endorsement which the league had given to his leadership and relying upon the following which he had in different parts of the country, he offered himself as a candidate for the Republican nomination and in December began his campaign with a speech-making tour. On February 2, 1912, while addressing a meeting of publishers in Philadelphia, he fell into language that was incoherent and injudicious; it was understood that the speech was made at a moment when the senator was laboring under a severe physical strain, but the effect of the harangue upon his candidacy was harmful.

The
Colonel's
Hat Is in
the Ring

It was not only the unfortunate speech that was now working against La Follette. Republican progressives were coming to believe that he could not win the election even if he received the nomination. Their minds accordingly turned to ex-President Roosevelt, believing that he could win both the nomination and election. But would Colonel Roosevelt accept a nomination if it should be offered to him? He had said at the time of his election in 1904 that under no circumstances would he be a candidate or accept another nomination.¹ Would he interpret this declaration as barring him from running again? The answer to this question was soon given. In February, 1912, the governors of seven States addressed a letter to Roosevelt declaring their belief "that a large majority of the Republican voters of the country desired his nomination, and a large majority of the people of the United States favored his election." Replying to this letter on February

¹ See p. 722.

24 Roosevelt said that he would accept the nomination if it were tendered him. Thus the Colonel's hat, as he expressed it, was in the ring.

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Roosevelt entered the campaign as the avowed leader of the progressive wing of his party. La Follette declined to withdraw from the race, insisting that he was the rightful as well as the logical progressive candidate. Roosevelt, he said, had always worked with conservatives and had been converted to progressive ideas only at the eleventh hour. There was a great deal of truth in this; the calendar was not in Roosevelt's favor. He was not a pioneer in the progressive movement. Indeed, his critics were fond of saying that he was a belated follower in that movement. He was many times cartooned as wearing political clothing which he had stolen from Bryan. His tardiness in joining the ranks of the reformers caused Bryan to become somewhat sarcastic. "My only regret," said that progressive Democrat, "is that we have not had the benefit of his [Roosevelt's] powerful assistance during the campaigns in which we have protested against the domination of politics by predatory corporations. He probably feels more strongly stirred to action to-day because he was so long unconscious of the forces at work thwarting the popular will. The fact, too, that he has won prestige and position for himself and friends through the support of the very influences which he now so righteously denounces must still further increase the sense of responsibility which he feels at this time."

A
Leadership
Challenged

The contest for delegates to the Republican national convention was a rough-and-tumble fight in which blows fell fast and furious. In the States where delegates were chosen at direct primaries the candidates took the stump and the air resounded with loud and acrimonious appeals to the voters. Roosevelt had no apology to make for the course he had taken. He was joyously confident that he was the rightful leader of a righteous cause. In a letter written in May he said: "It is evident that not only every progressive Republican, but every man who believes in decency and honesty in politics, can advance his purposes only by supporting my candidacy. My personal interest is of no concern one way or the other, but it happens that at this time I typify and embody the great cause which can only be furthered by supporting me." Taft, likening himself to a man standing with his back to the wall, fought with all his might for his political life. He saw blue ruin

A Sorry
Controversy

for the country if the progressives should win and he characterized them as political emotionalists and neurotics who were undertaking to pull down the pillars of the temple of representative government. The discussion was marred by many heated personalities. When Roosevelt charged Taft with being in alliance with the bosses to secure his renomination, the President retorted that he was only accepting the kind of support from the bosses that the ex-President had always accepted. Upon one occasion Roosevelt felt it necessary to remind the President that "it is a bad trait to bite the hand that feeds you." It was indeed a sorry controversy and a sorry spectacle.

Taft Re-nominated

Roosevelt's triumph in the primary contest was complete. Of the 362 delegates chosen at the polls he received 278, while Taft received forty-eight, and La Follette thirty-six. When the national Republican convention met in Chicago on June 6, of the 1078 delegates some 411 were pledged to Roosevelt and about 250 to Taft. More than 250 of the seats were contested. The contests were decided by the national committee, which was controlled by conservatives who were ready to go to extremes to prevent the nomination of Roosevelt. Senator Penrose was willing to "scuttle" the party rather than surrender to the progressives. The "steam-roller" was therefore brought into service and all the contested seats but nineteen were awarded to Taft. Thus all chance of a progressive victory was gone unless the convention could be induced to reverse the decisions of the national committee in respect to the contested delegates. Roosevelt hastened to Chicago to conduct his fight in person. To an enthusiastic crowd outside the convention hall, standing, as he said, at Armageddon, battling for the Lord, he denounced the quashing of his contested cases as "naked theft." But protestation was vain. The "steam-roller" was as merciless in the convention as it had been in the national committee. Elihu Root was chosen first as temporary and afterward as permanent chairman; the decisions of the national committee were sustained in all cases but one; and when the convention roll was made up there were about 560 delegates for Taft, or about twenty more than a majority. The President was accordingly renominated.

A Turbulent
Convention

Since it was now plain that the Republican party was split wide open, the Democrats entered the contest in hopeful and jubilant mood. Their pre-convention campaign was vigorous enough, but

was mildness itself when compared with the turbulence of their opponents. Their leading candidates were Champ Clark of Missouri, Judson Harmon of Ohio, Oscar Underwood of Alabama, and Woodrow Wilson. Just before the assembling of their convention at Baltimore on June 25, Bryan sent to each of the Democratic candidates an identical telegram calling attention to the fact that plans were on foot for turning the convention over to the conservatives and insisting that it must be organized by progressives. The only candidate who answered the telegram in a manner satisfactory to the sender was Governor Wilson, who said: "You are quite right. . . . The Baltimore convention is to be a convention of progressives, of men who are progressive in principle and by conviction." The prayer by which the convention was opened was no sooner ended than Bryan stepped to the platform as the champion of the progressives. In the proceedings which followed he rose to heights of leadership that he had never before attained. At first he was outvoted and apparently put down; but he quickly recovered and was soon impressing his will upon the convention, carrying his points triumphantly on every important question that arose. On the third day he offered a resolution declaring the convention "opposed to the nomination of any candidate for President who is the representative of or under obligations to J. Pierpont Morgan, Thomas F. Ryan, August Belmont, or any other member of the privilege-hunting and favor-seeking class." There was a tremendous uproar of dissent, but the resolution was adopted by an overwhelming vote. The balloting then began. On the first ballot Clark had more votes than any other candidate. On the tenth ballot he had a majority but was far from having the two thirds vote required by Democratic conventions. After the fourteenth ballot Bryan, who had been instructed for Clark and had been voting for him, created a fresh sensation by announcing in an impassioned speech that he would transfer his vote from Clark to Wilson. He made this change, he said, because the New York delegates, who on the tenth ballot had shifted their ninety votes from Harmon to Clark, were in the hands of Charles F. Murphy, the Tammany leader. If Murphy, he said, could nominate Clark the nominee would be under obligations to the three men named in his condemnatory resolution. After this change of front on the part of Bryan, the Clark vote began gradually to decline, while the Wilson vote gradually rose. At the thirtieth ballot Wilson led

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Roosevelt
Nominated
by the
Progressive
Party

for the first time, and on the forty-sixth he was nominated by a vote of 990 to eighty-four.

Now that the Democrats had a nominee of progressive tendencies running on a progressive platform, what would the progressive Republicans do? Or, more to the point, what would their great leader do? This question, uppermost in men's minds from the day that Taft was nominated, was answered on August 5, when a convention of men and women met in Chicago and organized the Progressive party.¹ A high pitch of enthusiasm dominated the proceedings of the convention and "Onward, Christian Soldiers" was sung by the delegates with a fervor that indicated the campaign was to be a great moral and spiritual crusade. Roosevelt was present and made a speech called his "confession of faith," which was a plea for social and industrial justice and an indictment of both the old parties as boss-ridden and privilege-controlled. Of course he was chosen as the standard-bearer of the new party. Hiram Johnson of California was selected as his running mate.

The
Socialists

The Socialists for the fourth time nominated Eugene V. Debs and declared substantially for the social and political reforms they had been demanding in previous campaigns. They were for the collective ownership of the means of transportation and also of those industries which were organized on a national scale, and in which competition no longer existed. They declared for a graduated inheritance and income tax and for the general adoption of those political devices that would bring the Government under the direct control of the people.

The
Platforms
in 1912

The platforms all reflected the spirit of the progressive movement. Even the Republicans declared for laws limiting the hours of labor for women and children, for working-men's compensation acts, for reforms in legal procedure, and for a simpler process than impeachment for the removal of judges. The Democratic platform was in the main the handiwork of Bryan and was a distinctly progressive document. The Progressive platform declared for direct democracy in all its forms, for woman suffrage, conservation, the Federal control of corporations engaged in interstate commerce, and for a sweeping program of laws that would

¹ When Roosevelt arrived in Chicago to look after his interests at the Republican convention he remarked that he felt like a "bull moose." This expression afterward was used as the popular name of the Progressive party, and the "bull moose" was adopted as the emblem of the new organization.

establish social and industrial justice. The subject that received the most attention was the tariff. Here the platform language was vague and evasive, as platform utterances since the days of Jackson had generally been. The Democrats were for a tariff for revenue, on the ground that they believed a protective tariff was unconstitutional. The Republicans declared for the "maintenance of a protective tariff with a reduction of duties that may be too high." The Progressives demanded "immediate downward revisions of those schedules where duties are shown to be unjust or excessive." That is to say, in its essence the tariff plank of the Progressives was as much like the plank of the Republicans as one pea is like another.

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The campaign was the noisiest since "Tippecanoe and Tyler too." From first to last it was dominated by Colonel Roosevelt's marvelous personality. Throwing himself into the conflict as a champion of the people, he captured their imagination, and by November "the Bull Moose call was echoing in every forest, and great herds were pouring through every valley and dale." Never before in the history of politics did a man go out and make such an effective appeal to an electorate. But there was little doubt what the outcome of the election would be. From the moment that Roosevelt entered the field as a candidate it seemed certain that he would draw enough votes from the Republican party to defeat its nominee. And that is what happened: Taft was defeated, and so overwhelmingly that Roosevelt, when the returns were reported to him on election night, was led to exclaim: "We have annihilated the Republican party." Of the 531 electoral votes Wilson received 435, Roosevelt eighty-eight, and Taft eight. The popular vote was 6,293,019 for Wilson, 4,119,507 for Roosevelt, 3,484,956 for Taft, and 901,873 for Debs.

The Cam-
paign

PROGRESSIVE LEGISLATION

The political flight of Woodrow Wilson was made with the speed of an arrow. Within two years after his first appearance in public life he was elected to the Presidency. He brought to the high office, therefore, only a small practical experience in public affairs. But he was a born politician, using the word in its very best sense, and the genius of his mind fitted him for the tasks of government. In the realm of political science he had long been

Wilson as a
Political
Leader

distinguished as the master interpreter of American institutions and ideals. In 1879, at the early age of twenty-three, he wrote for a magazine an essay on cabinet government which revealed his power of brilliant analysis. Six years later this essay was amplified and published as "Congressional Government," the greatest disquisition on the American political system that had appeared since "The Federalist." In this book of his youth was the outline of his political philosophy. Here was taught the doctrine that the President ought to be the leader of his party, that he had the right to plan as well as to execute, and that he was at liberty in law and in conscience to be as big a man as he could.

The political sagacity of the new President was shown in his attitude toward the progressive movement and the Progressives themselves. He realized that although the Progressive party had been defeated at the polls progressivism was the controlling force in American life. Reform was in the air, and men of all parties were reaching out for something better than they had. He realized too that his position as leader was by no means secure. He was a minority President and his party was lacking in cohesion. In the House there was a Democratic majority that would hardly fail him, but in the Senate the margin of Democratic control was too narrow for comfort. He therefore strengthened his leadership by frankly making friends of the Progressives. He advised with them, appointed their leaders to offices, and as far as practicable adopted their program of reform. He had not been a champion of the progressive movement in its formative period, yet as governor of New Jersey and as President he was as good a progressive as there was in the country.

Progressivism was kept in mind when he selected his cabinet.¹ Bryan was appointed secretary of state, not because of his services at the Baltimore convention, not because he was specially fitted by training or temperament for the position, for it could hardly

¹The composition of the cabinet during the two terms of President Wilson was as follows: secretary of state, W. J. Bryan (to 1915), R. Lansing (to 1920), B. Colby; secretary of the treasury, W. G. McAdoo, C. Glass, D. F. Houston; secretary of war, L. M. Garrison, N. D. Baker; attorney-general, J. C. McReynolds, T. W. Gregory, A. M. Palmer; postmaster-general, A. S. Burleson; secretary of the navy, J. Daniels; secretary of the interior, F. K. Lane, J. B. Payne; secretary of agriculture, David F. Houston, Edward T. Meredith; secretary of commerce, W. C. Redfield, J. W. Alexander; secretary of labor, W. B. Wilson.

be said that he was, but because he was the spokesman of the progressive element within the Democratic party. In the East there was an outcry against the appointment of the Commoner, but the President had to reckon with the West and the South. "Bryan," says W. E. Dodd, "had been the only leader who had supported an idealistic rank and file of the Democratic party in the West. And his followers in the South were just those men who had not yielded to the materialistic boss and industrialist system."

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Although the President expected to govern through the agency of his party, it was not partisan ends that he hoped to achieve. In his inaugural address, referring to the change which had brought the Democrats into power, he said: "It means much more than the mere success of a party. The success of a party means little except when the nation is using that party for a large and definite purpose." The purposes which the President had in mind were foreshadowed in the following words: "We have itemized with some degree of particularity the things that ought to be altered and here are some of them: A tariff which cuts us from our proper part in the commerce of the world, violates the just principles of taxation, and makes the Government a facile instrument in the hands of private interests: a banking and currency system based upon the necessity of the Government to sell its bonds fifty years ago and perfectly adapted to concentrating cash and restricting credits; an industrial system, which, take it on all its sides—financial as well as administrative,—holds capital in leading-strings, restricts the liberties and limits the opportunities of labor, and exploits, without renewing or conserving, the national resources of the country." It was plain that the President expected his party to take definite action upon the tariff question, upon the currency question, and upon the trust question.

A Program
of Legis-
lation

The tariff question was taken up first. When Congress had been assembled in extra session, President Wilson, on April 7, breaking the precedent established by Jefferson in 1801,¹ read his message from the speaker's desk to the members of both houses sitting in joint session. It was his idea that the appearance of the President in person would make for the coöperation of the executive and legislative departments. In his message he declared that the country wanted the tariff changed, and he urged upon the law-

The
Underwood
Tariff

¹ See p. 188.

makers the necessity of a prompt, effective, and downward revision. The machinery for prompt action had already been set in motion, and in due course a bill was brought into the House by Oscar Underwood and quickly passed. In the Senate there was delay, due as usual to the obstructive tactics of the protected interests. But when the President issued a statement denouncing the "extraordinary exertions of an insidious and numerous lobby," "paid agents whose object was private profit" took fright and Congress was relieved of their objectionable presence. Still, discussion in the Senate was long-drawn-out, and the Underwood Bill did not finally pass and receive the President's signature until early in October.

The Underwood Bill, taken as a whole, reduced the general level of tariff rates greatly below what they had been under the Payne-Aldrich Bill. On nearly 1000 articles the rates were lowered, on more than 300 they were left unchanged, and on eighty-six they were increased. The rates on cotton goods were cut from 45 per cent to 30 per cent. The rates on woolen goods (Schedule K) were reduced far below the high mark of the Payne Tariff, but as a compensation to manufacturers wool was put on the free list. Sugar rates were reduced and that commodity was to be placed on the free list after May, 1916, but the protest of the sugar-growing interests was so strong that the clause providing for the free entry of sugar was repealed before the date arrived for it to go into effect. Inasmuch as the new tariff would probably not produce enough revenue, the power of the Sixteenth Amendment¹ was invoked and a clause providing for an income tax was added to the bill. A tax of 1 per cent was levied on the profits of corporations and on individual incomes in excess of \$3000 in the case of single persons, or \$4000 in the case of married persons. On larger incomes there was levied a graduated surtax running from 1 per cent on incomes between \$20,000 and \$50,000, to 6 per cent on those in excess of \$50,000. The income tax feature of the Underwood Bill marked the beginning of a revolution in American national finance.

The second great question upon which the President wanted definite and constructive action related to the currency. The necessity for currency reform had been keenly felt in 1907, when at a moment of financial stress there was precipitated in New York

¹ See p. 747.

a panic which spread to other parts of the nation and resulted in many business failures and much unemployment. The panic began when the depositors of two great banks in New York became frightened and withdrew their deposits. There would have been no trouble, however, if there had been in existence some method by which the banks could have quickly mobilized their credit and secured the currency necessary for meeting the demands of the depositors. There was money enough in existence, but the distressed banks could not get hold of it. In order to provide temporary means for making the supply of currency more flexible, Congress in 1908 passed the Aldrich-Vreeland Act which authorized national banks to issue emergency notes in times of financial stress. This act, however, was intended to be only a makeshift measure and by its own terms it was to expire in 1914. One of the provisions of the act established a national monetary commission which was to investigate the currency and banking systems for this and other countries. During the Taft administration the commission brought in a report containing a vast amount of information and many illuminating and valuable suggestions bearing upon the subject of currency reform. But legislation on the currency question was delayed until the Democrats came into power.

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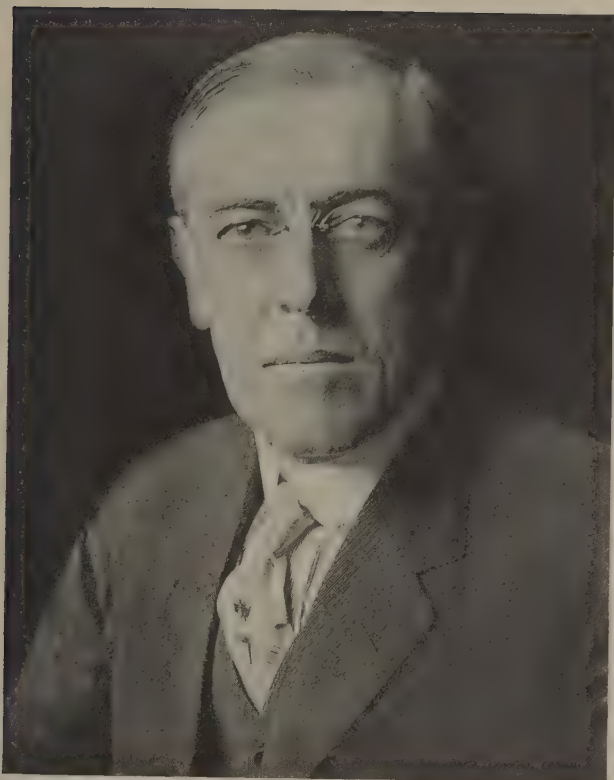
President Wilson, believing that further delay would be dangerous, appeared before Congress in June, 1913, and urged the enactment of a new banking and currency law, pointing out that the currency should be more elastic, that there should be some means of mobilizing bank reserves, and that the banking system should be brought under public control. Congress responded with the Owen-Glass Federal Reserve Act, the most far-reaching currency law that was ever placed on the books. The purpose of this act was, first, to bring about a more even diffusion throughout the country of the money that was already in circulation; and, secondly, to make from time to time such changes in the existing volume of currency as the conditions of trade might require. Under the act the United States has been marked off geographically into twelve districts, and in one of the cities in each district there has been established a Federal reserve bank. The cities having Federal reserve banks are Boston, New York, Philadelphia, Cleveland, Richmond, Atlanta, Chicago, St. Louis, Minneapolis, Kansas City, Dallas, and San Francisco. The members and owners of a

The Federal
Reserve Act

Federal reserve bank are the national banks within the district and such State banks and trust companies as may choose to join under the conditions laid down by the law. A Federal reserve bank is a bank of banks: its depositors are the member banks, and its deposits consist of a certain specified portion of the *reserve fund* which the member banks within the district are required by law to keep in their possession for the safety of their customers. The borrowers from a reserve bank are the member banks within the district. Before 1914 a very large portion of the reserves of banks flowed into two or three financial centers, and there was a harmful congestion of money in those centers; but under the act of 1913 the greater part of the reserves of the banks of a given district are kept within the boundaries of that district and congestion is prevented. Yet under certain conditions reserves may flow from one district to another, for in an emergency funds may be transferred from one reserve bank to another, if in the judgment of the Federal reserve board the transfer is desirable.

The currency issued by the Federal reserve banks consists of Federal reserve notes secured, not by bonds, as in the case of national bank notes, but by a gold reserve equal to 40 per cent of the face value of the notes plus an amount of commercial paper (promissory notes) equal to 100 per cent of the face value. In addition to this security, the United States treasury is pledged to redeem in gold or in other lawful money all Federal reserve notes. The operation of the Federal reserve system was placed by the act under the absolute control of a Federal reserve board consisting of five (increased in 1922 to six) members appointed by the President and two ex officio members, the secretary of the treasury and the controller of the currency. The new system was installed in November, 1914, and was soon more than meeting the expectations of its friends.

With the tariff and currency questions out of the way, the President turned his attention to the trusts. In accordance with his wishes Congress came forward with two laws designed to lubricate the wheels of competition. The first law, passed in September, 1914, declared unfair methods of competition to be unlawful, established a Federal trade commission consisting of five members appointed by the President, and gave it power to prevent persons, partnerships, and corporations (except banks and common carriers, which were governed by other agencies) from



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Woodrow Wilson

using unfair methods in trade. The principal function of the commission is to hear the complaints of business men who are suffering by reason of the dishonest practice of their rivals. And what is done with the complaints? If, after investigation, the commission has reason to believe that a complaint is just, it orders the offending party to desist from the unfair practice with which he is charged. If the offender obeys the order of the commission that of course is the end of the matter. But if he does not obey, then he is liable to be brought before a Federal court and if found guilty to be punished if he does not desist from the unfair practice. Manifestly all these qualifications operate to reduce the commission's power to a very slender thread.

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The second of the laws secured by the President concerning trusts was the Clayton-Anti-Trust Act of October, 1914. This was intended to supplement the Sherman Act and was aimed in express terms at monopoly. The Clayton Law makes it unlawful for any concern to discriminate in price between different purchasers where the effect of such discrimination is substantially to lessen competition or create a monopoly in any line of trade; it forbids any corporation from acquiring the whole or any part of the stock of another corporation where the effect of such acquisition may substantially lessen competition between the corporation whose stock is acquired and the corporation making the acquisition; it forbids the interlocking of directorates; that is, it forbids directors in certain classes of corporations to serve as directors in corporations engaged in business of the same sort. The law, however, declares that the labor of a human being is not a commodity or article of commerce, and labor-unions and farmers' organizations, when they have no capital stock and are not conducted for profit, are exempted from the operations of the law.

A Law
Aimed at
Monopoly

While the President was seeking this new anti-monopoly legislation his law officers were prosecuting the trusts under the Sherman Law. The most important anti-trust case conducted by the Wilson administration was the suit against the United States Steel Corporation. Organized in 1901,¹ this giant for ten years waxed fatter and fatter, undisturbed by the "trust-busting" activities of the Government. In 1907 it acquired the Tennessee Coal & Iron Co.: the subject of its acquisition had first been submitted to President Roosevelt, who gave his approval to the merger on the ground that

A Great
Trust Re-
ceives a
Clean Bill
of Health

¹ See p. 701.

it would tend to stop the panic of that year. In 1911 the Government began suit for the dissolution of the Steel Corporation, and nine years later the case was brought to an end when the Supreme Court decided that the company was not violating the Anti-trust Act and need not be dissolved. The decision was rendered by a minority of the court, two of the nine justices taking no part in the consideration of the case and three dissenting. The effect of giving this, the greatest of all industrial combinations, a clean bill of health was to bring the Sherman Act into a disrepute even deeper than that into which it had already fallen and to cause men to feel that the monopolistic organization of industry was an incubus that could not be thrown off. How the decision operated to produce despair in the minds of statesmen was shown in a debate which took place in the Senate in 1922.¹ In this discussion it was made plain that no senator any longer had any hope that relief from monopoly under the Sherman Act was possible. One senator suggested putting teeth into the act, but when asked how this was to be done he had to confess that he did not know. Throughout the whole debate there was evidence that the lawmakers were sorely perplexed by the difficulties which surrounded the problem of trust regulation. Nothing could have been more disheartening than these words of Senator Cummins: "The United States Steel Corporation produces, we will say, one half of all the iron and steel products of this country. . . . Two or three years ago I was a member of a committee to inquire into the cost of production of iron and steel products. It appeared during the course of that investigation, and there can be no doubt about it, that the United States Steel Corporation can produce the greater part of its output anywhere from five to fifteen dollars per ton more cheaply than can any of its competitors. The only way in which competition can be preserved at all is for the Steel Corporation to sell its products at more than a reasonable profit. If it were to sell at a reasonable profit there would be no competitors in the country, and it would have by the natural operation of commercial forces a monopoly." "These," said the same senator, a little later, "are conditions we have to deal with in some way or other. No man has yet been genius enough to present a plan which will deal with these situations short of the Government undertaking to fix prices or limit profits, and we are shrinking from that

¹"Congressional Record"; February 7, 1922, pp. 2526-2528.

course now, and I think we may very well shrink from it. It is one of the problems we have yet to solve, and the man who does solve it successfully, or the Congress which is able to introduce and carry into effect a plan which will restore and preserve reasonable, fair competition, in the production of the United States, will be entitled to a great deal more than the plaudits of his fellow men. He will be entitled to a very secure and permanent seat in the heavenly land."

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The situation which confronted the senators would doubtless have been less discouraging if the Government in its administration of the anti-trust laws of 1914 had been assisted by the driving force of the progressive movement, the force after all that had really caused those laws to be spread upon the books. Had executive officers and lawmakers and judges been animated by the reforming spirit after 1914 the Federal trade commission by 1922 might have developed into an agency resembling the interstate commerce commission, and trust regulation might at least have been somewhere in sight. But after 1914 there was no longer in existence a powerful progressive influence to urge government onward. For with the firing of the guns in Europe the progressive movement, which has been the theme of this chapter, came abruptly to an end. Within a few short months after the war broke out Reform was unhorsed and Reaction sprang into the saddle.

XXXV

THE GREAT WAR

A POLICY OF PEACE AND NEUTRALITY

WHEN President Wilson began his duties it seemed that the most serious problems ahead would relate chiefly to questions of internal policy. Yet the international skies were not cloudless. At the very outset of his administration he was confronted with troublesome problems of foreign policy. These he approached in a pacific mood, for no President since Madison had been a greater lover of peace. In any effort he might make to arrive at a peaceful solution of a problem he could rely on the faithful support of his secretary of state, who regarded war as a demon that statesmen ought to bind and destroy.

The Peace
Treaties

It was Bryan's belief that war arises from precipitate action, and that inasmuch as modern conditions of communication have made the world a whispering-gallery in which men can arrive at quick understandings and agreements, the dangers of precipitancy might be avoided by providing for a period of investigation and inquiry into the nature of disputes before the outbreak of hostilities. With the purpose of guaranteeing a period of delay, a time for "cooling off," he set about negotiating treaties in which the high contracting parties should agree that all disputes between them of every nature whatsoever which diplomacy failed to adjust should be submitted for investigation to an international commission, and should further agree not to declare or begin hostilities during such investigation, which might occupy an entire year, but no longer time unless the two governments should extend the period. Since President Wilson was in entire sympathy with the plan, the negotiation of the peace treaties proceeded rapidly and by the close of 1913 thirty-one nations, including nearly all the principal powers of the earth, had signified their willingness to bind themselves to the principle of delay and investigation before actual conflict.

One of the earliest diplomatic questions to come up under the Wilson administration related to the Japanese in California. The legislature of that State in the spring of 1913 had before it a bill forbidding certain aliens from holding lands. Since the act would apply almost solely to Japanese immigrants, the ambassador from Japan protested to our State Department against the discrimination, asserting that under existing treaties the Japanese were assured equal rights with other aliens. In order to relieve the situation, which was rather embarrassing to our Government, the President sent Bryan to California to meet the governor and legislature in person and endeavor to secure the postponement of all land-tenure legislation, and to suggest the possibility of a new treaty with Japan. The postponement was not secured, although the law, which eventually passed, was modified to the extent of allowing the Japanese to lease agricultural lands for terms not greater than three years.

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XXXVCalifornia
and the
Japanese

During this administration the United States made new advances of power in Latin America and in the Caribbean. In 1914 there was negotiated with Nicaragua a treaty by which the United States acquired the exclusive right to construct an interoceanic canal by way of the San Juan River and Lake Nicaragua, to maintain a naval base on the Gulf of Fonseca, and to use the Corn Islands on the Caribbean side as coaling stations. For these privileges Nicaragua was to be paid \$3,000,000, to be expended on public works and education. The treaty gave to the United States substantial control over the fiscal administration of Nicaragua, and therefore had the effect of establishing a virtual protectorate. On February 18, 1916, the same day on which the Nicaragua treaty was ratified, an actual protectorate was established over Haiti. The finances of the republic were in such a disordered condition that President Wilson determined the United States would have to provide a receivership for the Haitian customs similar to the one established for the Dominican Republic.¹ A treaty was accordingly made which reduced Haiti to a condition of almost complete dependence upon the United States: the customs of the little republic were brought under American control; its expenditures were placed under American supervision; and its constabulary was to be commanded by American officers. The power of the United States in the Caribbean was still further extended by the

Nicaragua
and Haiti

¹ See p. 713.

purchase in 1916 of the Virgin Islands from Denmark. These islands, for which we paid \$25,000,000, were secured in order that they might serve as a base for naval operations in the Caribbean.

President Wilson had no sooner been inaugurated than he was called upon to deal with a serious situation which existed in Mexico. Just before President Taft's term expired Francisco Madero, the president of Mexico, was assassinated, whereupon General Victoriano Huerta seized control of the Mexican Government. Huerta sought recognition by the Government of the United States, but Taft, preferring to leave the matter to his successor, declined either to give or formally withhold recognition. When the question was brought before President Wilson he flatly refused to have anything to do with Huerta, who was believed to have risen to power by force and murder. "We can have no sympathy," said Wilson, "with those who seek to seize the power of government to advance their own personal interests or ambitions. . . . We dare not turn from the principle that morality and not expediency is the thing that is to guide us." Had Huerta been recognized our Government would still have had a Mexican problem on its hands, for the republic was being torn by civil war. Venustiano Carranza and Francisco Villa, two headstrong leaders, were in revolt against the authority of Huerta. The revolution was accompanied by much bloodshed, and in the turmoil many Americans living in Mexico were killed and a great deal of property belonging to Americans was confiscated or destroyed. Wilson was urged to intervene with a blood-and-iron policy, the cry for intervention coming often from men who had land or mineral or oil investments in Mexico. But the only force he was willing to use was moral force. "The steady pressure of moral force," he said, "will before many days break the barriers of pride and prejudice down and we shall triumph as Mexico's friends sooner than we could triumph as her enemy—and how much more handsomely and with how much higher and finer satisfactions of conscience and honor!" Instead of resorting to forcible intervention the President pursued a policy which he characterized as one of "watchful waiting": he would keep a watchful eye upon American interests in Mexico, but wait patiently for the revolution to run its course without interference on the part of the United States. The underlying purpose of the President was to give the Mexicans an opportunity to work out their own political

salvation and set up for themselves a stable constitutional government.

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The President adhered with great tenacity to his policy of "watchful waiting," but the results were extremely disquieting and unsatisfactory. Many times during the revolution American interests—and there was more than a billion dollars' worth of American property at stake—suffered because there was no strong hand to protect them. Foreigners were almost daily shot down by brigands or revolutionists. In the spring of 1914 several sailors belonging to our navy were arrested by the followers of Huerta at Tampico and were roughly treated. Demands for reparation followed, and since these were not fully complied with, President Wilson sent our fleet against Vera Cruz. The city was quickly captured and was held until November, 1914, when our troops sailed away. As the revolution proceeded Carranza and Villa steadily gained ground. In the summer of 1915 Huerta was overthrown and Carranza entered the City of Mexico in triumph and seized the reins of power. Within a few months he was recognized by the United States and several other countries as the head of the provisional government of Mexico. But Carranza was not allowed to govern in peace. The victors began to quarrel among themselves: Villa turned against Carranza and Mexican affairs went from bad to worse. In March, 1916, Villa led a band of outlaws across the Mexican border into New Mexico and killed nine American citizens. American troops were now quickly sent into Mexico to capture and punish Villa and his band. The troops went, said President Wilson, "in aid of the constituted authorities of Mexico" and "with scrupulous respect for the sovereignty of the republic." This punitive expedition accomplished little, for Villa eluded his pursuers and remained at large. Although Carranza was unable wholly to suppress lawlessness his government nevertheless gradually acquired a measure of strength. In March, 1917, he was first elected president and shortly after was formally recognized by the United States as the rightful president of the Mexican republic.

The
Disquieting
Results of
"Watchful
Waiting"

The disturbances in Mexico were as dust in the balance when weighed against the convulsions of the Great War which in the summer of 1914 began to impart their violence to the United States. At the opening of that war every important nation of Europe was armed to the teeth. Conscription was the order of the day, and

A Continent
in Arms

rulers had availed themselves of the principle of compulsory service to build up the largest armies the world had ever seen. The peace strength of Germany was 870,000 men; of France, 780,000; of Russia, 1,500,000; of Austria-Hungary, 435,000; of Italy, 306,000. These were all fully trained men ready for battle. In addition these five nations had a total reserve strength of nearly 20,000,000 trained men. What would happen if these armies should fall to fighting? Many thoughtful observers, reflecting upon the magnitude of the armaments and upon the awful possibilities of a conflict, refused to believe that the armies would ever be called into action. War, they said, is unthinkable.

But the war came, and the conflagration was not a case of spontaneous combustion; the match was applied by human hands. On August 2, 1914, William II, the German emperor, intending to deal a crushing blow to France, and finding that the most convenient path lay through Belgium, began to pour armies across the boundaries of that little kingdom. The act of the emperor was violative of a treaty by which his Government was bound, but in the eyes of the German ruler, if a treaty interfered with scientific warfare, it was a mere "scrap of paper." The invasion of Belgium started the fire. Soon Germany, Austria, and Turkey were fighting Belgium, Great Britain, France, Russia, and Serbia. The war spread from nation to nation until at last its spell of hell was cast over all the world.

Two days after the outbreak of the war President Wilson issued a formal proclamation of neutrality and on August 18 in an address to the people of the country urged them to be neutral both in thought and action. But the greater part of the population could not have been neutral in mind if it had tried. There were millions of German Americans in whose bosoms there lurked a wish that the Fatherland might triumph. Millions of Irish Americans would have rejoiced to see Great Britain go down in defeat. Millions of newly arrived aliens—Slavs, Poles, Bohemians, Slovaks, Serbs, Magyars—could not have been indifferent to the fortunes of the countries from which they came. There were many native-born Americans who for one reason and another had such a liking for England that they were outspoken in her defense. Other native-born Americans for one reason and another cherished for Germany an affection that was inconsistent with a neutral policy. Then propaganda interfered with neutrality. Agents of

Germany went over the country doing everything they could to turn public opinion to the side of the Teutons, while the mails groaned with pamphlets and books which championed the cause of the allies. Still another thing that made neutrality difficult was the trade situation which arose on the ocean. The English navy rapidly drove all the surface ships of the enemy to cover and gained the mastery of the seas, which meant the virtual mastery of the movements of most of the foreign trade of the world. A blockade was set up which barred the way of American goods—of all goods for that matter—to the Central Powers, and, to the extent that Great Britain desired, even to some of the neutral powers. But American goods could go to the allies and did go in immense quantities—munitions, food-stuffs, copper, and other raw materials necessary for carrying on war. Germany protested bitterly and her friends in America protested bitterly because of the shipments to the allies, and charges of discrimination were made. Our Government, however, was able to show that nothing was being done which was contrary to international practice and that the only reason the Central Powers did not receive munitions and other supplies from America was because their enemies were able to head them off.

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The greatest enemy of neutrality was the German submarine. On February 6, 1915, the German Government proclaimed a submarine blockade of the British Isles and announced that within the war zone enemy merchant vessels would be destroyed "even if it may not be possible always to save their crew and passengers." Here was an intimation that Germany might disregard international law and sink merchant ships without first giving warning and providing for the safety of persons on board. The declaration brought from President Wilson on February 10 an energetic protest and a warning that Germany must take care not to destroy American lives or sink American ships. The protest, however, did not cause Germany to desist from her submarine campaign. Beginning on February 18 the submarine began its deadly work, and ship after ship went down. On May 7 a German submarine attacked the *Lusitania*, a British merchantman, and without any warning sent the great liner to the bottom of the sea. Nearly 1200 innocent persons were drowned. Of those who lost their lives more than one hundred were American citizens.

The
Lusitania

Since the *Lusitania* was carrying munitions to England Germany sought to excuse the sinking on the ground that it was a necessary act of war. Military necessity or no military necessity, the destruction of the vessel was an act of fiendishness that caused every mercy-loving heart in the world to thrill with horror. The cruel deed created a profound sensation in the United States, and everywhere there was talk of war. In some places in the East it seemed that public sentiment would support a declaration of hostilities. President Wilson kept to the neutral course. He did not want war but he wanted Germany's disavowal and, as far as possible, reparation. In a note to the German Government on the subject he said that the American Government would not be expected "to omit any word or any act necessary to the performance of its sacred duty of maintaining the rights of the United States and its citizens and of safeguarding their free exercise and enjoyment." Germany was slow in replying, and when the reply came it was unsatisfactory. In a second note, written by the President, the American demands were set forth anew and with a decisiveness that sounded to the secretary of state like an ultimatum. Bryan, believing that an ultimatum would be the straight road to war, and having publicly declared that so long as he was secretary of state the country would not engage in war, with consistency withheld his signature from the note and resigned, his place being taken by Robert Lansing. As Germany's reply to the second note was evasive and unsatisfactory, a third note was despatched on July 21. Although no response was made to this note, the German Government issued instructions to submarine commanders not to sink liners without warning. It now seemed that the controversy over the *Lusitania* would be settled in an amicable manner. But fresh trouble arose. In the spring of 1916 an unarmed packet, the *Sussex*, was sunk without warning in the English Channel and several American lives were lost. This incident revived the main issue in a way that spurred the President to drastic action. On April 18 he transmitted to Germany a ringing ultimatum which he explained to Congress on the following day. In his note he announced that, unless the Imperial German Government should "now immediately declare and effect an abandonment of its present methods of submarine warfare against passenger and freight carrying vessels, the Government

of the United States can have no choice but to sever diplomatic relations with the German Empire altogether." Upon receiving this ultimatum Germany yielded and promised to conduct her submarine warfare in accordance with the established rules of international law, but at the same time made the statement that if in the future the other belligerent nations should fail in their observance of the rules of international law she would then be facing a new situation in which she must reserve for herself complete liberty of decision. President Wilson accepted the declaration of the German Government but made it clear that his demand for the observance of American rights upon the sea would not in the slightest degree be contingent upon the action of any other government. "Responsibility," he said, "in such matters is single, not joint; absolute, not relative."

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As Congress had not been in session when the *Lusitania* was sunk the President could deal with this and other diplomatic questions without let or hindrance until the lawmakers should assemble in December. When the Congress met it showed no inclination to interfere with the executive in his management of foreign affairs. A few of the members seemed to want war, but they did not press the issue. So far as there was any formal expression of sentiment it came from members who were desirous that neutrality be maintained. To the end that a conflict might be avoided, Representative McLemore in February, 1916, introduced a resolution requesting the President to warn American citizens to refrain from traveling on armed belligerent vessels of any kind, and to declare that if they persisted in traveling on such ships they would do so at their own peril. The resolution seemed to have a fair chance of passing, but before the vote was taken the President announced himself opposed to it. He felt that it was an abridgment of the rights of American citizens. "To forbid our people," he said, "to exercise their rights for fear we might be called upon to vindicate them would be a deep humiliation indeed. . . . Once accept a single abatement of right and many other humiliations would follow, and the whole fine fabric of international law might crumble under our hands piece by piece." The opposition of the President turned the tide, which was flowing strongly toward the adoption of the resolution. When it was voted upon it was tabled by a decisive majority.

The
McLemore
Resolution

CHAP.
XXXVPrepared-
ness

Although Congress was not inclined toward war it was ready to strengthen the military establishment. All through the year 1915 the country was stirred by a campaign for preparedness. On thousands of platforms orators dwelt upon the dangers of our defenseless condition. In Chicago Rear-Admiral Peary told the people that within twelve months German flying-machines would be dropping bombs upon the business district of that city. On thousands of screens there were harrowing pictures of enemy soldiers landing upon our shores, swooping down upon cities, and bringing the nation to its knees. In the large cities the public mind was impressed by monster preparedness parades. The result of the campaign was to build up a sentiment for a more efficient national defense. Responding to the demand for preparedness President Wilson urged upon Congress the necessity of raising an army and navy much larger than the country had ever had in times of peace. Congress concurred fully in the views of the President and went far beyond his recommendations. In June, 1916, it passed a National Defense Act which provided for raising the regular army to a peace strength of 208,000 men and 11,000 officers, and the National Guard to 440,000 men and 17,000 officers, thus making the total peace strength about 650,000 men and 28,000 officers, an army vastly larger than America ever dreamed of having in times of peace. Moreover, appropriations were made for increasing the navy to a size which at the time seemed dazzling in its bigness.

The Federal
Aid Road
Act

While foreign affairs were in such a turbulent condition the minds of the people were naturally deflected from matters of domestic concern. Nevertheless home affairs were not wholly neglected. In fact while the conflict was raging important Federal statutes were enacted. The Federal Aid Road Act in 1916 gave the helping hand of the National Government to the good roads movement, which was carried forward rapidly after the appearance of the automobile. The law provided that \$75,000,000 should be expended over a five-year period in the construction of highways in the several States, the money to be divided among the States on the threefold basis of area, population, and mileage of rural delivery routes. The Rural Credits Law of 1916 set up machinery for the ascertaining of land values and the needs of farmers, and for the making of loans to those who wished to borrow money for certain purposes connected with the occupation of farmers. At

The Rural
Credits Law

the farm loan banks, the banks which the law established, farmers could borrow at a low rate of interest, and could repay their borrowings, both principal and interest, in fixed small sums. An act of 1916 created a shipping board which was charged with the duty of encouraging and developing a merchant marine. During the Civil War so many of our trading vessels had been swept from the seas ¹ that by the time the struggle was over our merchant fleet was virtually gone. For nearly fifty years we depended upon foreign ships to carry abroad the products of our factories and fields. Under the act of 1916 it was made the duty of the board to build, buy, or lease ships suitable for the ocean trade, to enforce reasonable maximum rates among water carriers engaged in interstate commerce, and to correct unjust discriminations in rates among such carriers engaged in foreign trade. The shipping board thus was given a place in the Federal system on a footing with the interstate commerce commission. The Federal Eight-hour Act (the Adamson Law) provided for a standard eight-hour working day for such employees on interstate railroads as are actually engaged in any capacity in the operation of trains. This law was hurried through Congress in the summer of 1916. The railway engineers, firemen, conductors, and trainmen, numbering more than 400,000, demanded the eight-hour day, threatening to tie up the whole transportation system if it were not granted. Late in August President Wilson undertook to bring about a compromise between the workers and the railroad owners, but failed. On August 28 orders were given for a strike to begin on September 4. On August 29 the President appeared before Congress and recommended immediate legislation to avert the impending strike. A bill was introduced at once, and within one hundred hours the eight-hour act had passed and was ready for the President's signature. The pressure exerted by the railroad brotherhoods resembled duress so strongly that a cartoonist was led to hit off the situation by representing a labor leader holding a stop-watch over Congress and demanding the immediate passage of the bill. Loud and angry protests followed the passage of the Adamson Law, yet as a piece of legislation it harmonized very well with an eight-hour movement which at the time was sweeping over the country and affecting almost every industry.

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Shipping
BoardThe
Adamson
Law

¹ See p. 478.

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The Nomi-
nations
in 1916

The Eight-hour Law was enacted while the Presidential campaign of 1916 was in progress. The Democratic convention that year assembled in St. Louis and renominated Wilson by acclamation. By agreement between the two national committees the Republicans and Progressives met in Chicago on the same date (June 17) for the nomination of candidates. The Progressives nominated Roosevelt again, hoping that the Republicans would endorse his candidacy. But the men who dominated the Republican convention refused to accept the Progressive leader as their candidate. Charles E. Hughes, former governor of New York and at the time the convention met an associate justice of the Supreme Court, was chosen on the third ballot. The all-important question now was: Would Roosevelt accept the Progressive nomination or would he decline and throw his support to the Republican ticket? Promptly enough he declined to run and announced that the Republican ticket was worthy of the support of all progressive-minded, patriotic men. He was criticized for leaving his party in this manner, yet a different course would have been political suicide. In a real sense he did not abandon his party, for in a real sense it no longer existed. There was a shell of an organization, but the heart of the party was gone. After the Great War had quenched the spirit of the progressive movement,¹ the Progressive party, which drew its life from that movement, began rapidly to crumble, its decay being hastened by the liberal policies of the Democratic administration. "We have in four years," said Wilson in 1916, "come very near to carrying out the platform of the Progressive party as well as our own." In the congressional elections of 1914 the total Progressive vote was less than half what it was two years before, and by 1916 the collapse of the party was complete.

"He Kept
Us Out of
War"

In the campaign the central theme was the Wilson administration, the Republicans attacking it and the Democrats defending it. The subject around which most of the discussion revolved was Wilson's management of foreign affairs. At all stages of the campaign the course of the administration in respect to Mexico was bitterly assailed by the Republicans. The President's attitude toward questions growing out of the Great War was also severely denounced, but the denunciation was usually couched in vague or evasive phraseology. When the Republicans were pressed to say

¹ See p. 763.

in concrete language what they would have done that the Democrats had left undone no clear answer was given. Hughes gave no indication that if elected he would depart from the policy of neutrality. Nor did Wilson indicate that if reëlected he would continue to adhere to that policy. But, as the neutral way had proved to be the way of peace, the Democrats could use, and did use with great effectiveness, the slogan, "He kept us out of war."

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At the election more than 18,500,000 votes were cast, about one fourth of the voters being women. The contest was so close that for several days the result of the balloting was in doubt. In Minnesota and California the margin was extremely narrow. Minnesota went for Hughes by an official plurality of only 396, but California by a vote almost as close went into the Democratic column and decided the contest. Wilson received 274 electoral votes and Hughes 257. The popular vote was: Wilson, 9,128,837; Hughes, 8,536,380. The popular vote of the Socialist candidate, Allan L. Benson, of New York, was 590,415.

A Close
Election

While the results of the election showed plainly enough that the country was satisfied with the policy of neutrality, there were nevertheless grave apprehensions that if the war continued the policy could not much longer be maintained. But the President was not going to allow America to be drawn into the maelstrom if the catastrophe could be averted in a manner consistent with the national honor. In December, 1916, at a time when there was a faint hope that the rulers of the contending nations might be willing at least to consider the subject of peace, he made an appeal to the Governments of all the belligerents to state their views as to the terms upon which the war might be brought to an end. He did not propose peace or even offer to serve as peacemaker; his sole purpose was to secure from the countries at war a definite statement of the objects for which they were fighting. On January 22, 1917, he appeared before the Senate and stated the results of his appeal. He had little to report that was encouraging, for the responses of the several belligerents seemed to indicate a willingness to shut the door on peace and turn the bolt. After telling the Senate of his efforts to secure a statement of the war aims of the contestants, he went on to say that the United States was deeply concerned in those aims and ventured to enumerate some of the things upon which America would be most insistent:

An Appeal
to the
Belligerents

No nation should seek to extend its policy over any other nation or people, but . . . every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the powerful. . . . I am proposing government by the consent of the governed, that freedom of the seas which our ancestors have urged; and that moderation of armament which makes of armies and navies a power for order merely, not an instrument of aggression or of selfish violence.

To attain these ends there must be a peace without victory. "Victory," he said, "would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation under duress at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand."

But the belligerents were in no temper for a peace without victory. The allies were for a "knock-out" blow, while Germany was thinking of peace only in the terms of a victor. On January 31 the German Government announced that a wide area of waters surrounding the British Islands would be regarded as a barred zone, within which submarines would sink merchantmen, belligerent as well as neutral, except that one American ship would be allowed to pass through the zone each week provided that it followed a designated narrow lane, that it was marked with broad red and white stripes and carried no contraband. This announcement was a stunning blow to the President's cherished policy of neutrality. He promptly broke off diplomatic relations with Germany and sent the German ambassador out of the country. Germany in accordance with her threat renewed the submarine warfare, and merchantman after merchantman went down, with the result that commerce suffered greater disasters than at any time since the war was begun. When two American vessels had been sunk and American lives had been lost, Wilson went before Congress (February 26) and asked for authority to use armed vessels to protect American rights. "I request," he said, "that you will authorize me to supply the merchant ships with defensive arms, should that become necessary, and with the means of using them and to employ any other instrumentalities or methods that may be necessary and adequate to protect our ships and our people in their legitimate and peaceful pursuits upon the seas." Congress was ready to comply with the President's request. In the House a

bill was introduced authorizing him to supply American vessels with guns, ammunition, and gunners, and to use such means as might be necessary to protect American ships and the Americans who might be traveling upon them. While the bill was before the House it was announced from a reliable source that the State Department was in the possession of a document which revealed the course Germany intended to take in case war should break out between that nation and the United States. The meditated plan was that Germany should join with Japan and Mexico in an attack upon the United States and, in the event of success, Mexico, as a reward for her assistance, was to receive Arizona, New Mexico, and Texas. Japan's share in the spoils was not stated in the document, but the inference was that she was to get the Philippines, Hawaii, and possibly California! It was of course a preposterous scheme, but when the President announced that the document was authentic there was an outburst of resentment equal to that which was shown when the *Lusitania* was sunk. When Americans heard that Germany was revolving in her mind plans for the dismemberment of their country, it was of little use to talk any longer of peace and neutrality. Within a few hours after the plans of Germany were made known the House by a vote of 403 to thirteen passed the Armed Ship Bill for which the President asked. In the Senate, however, the bill did not fare so well. A small group of senators opposed it, believing that it meant war and that to pass it would be to surrender to the President the power of deciding the question of war or peace. The nearness of the end of the session made it possible for the opponents of the bill to prevent its passage. If it had come to a vote, however, it would beyond all doubt have passed, for seventy-six of the ninety-six senators signed a statement that they were favorable to giving the President power to arm merchant vessels.

CHAP.
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terous
Scheme

AMERICA ENTERS THE WAR

The President soon found that even if the Armed Ship Bill had passed it would not have given him sufficient power to cope with the submarine menace. Germany was sinking American ships and taking American lives, and she could not be checked by the palliative of armed neutrality. Measures of passive defense must give way to measures of aggressive warfare. On April 2 the

A Historic
Address

President, abandoning all hope of peace, went before Congress and asked that the sword be drawn against the German Government on the ground that Germany had drawn her sword not only against the United States, but against the whole world. In his historic address the President said:

Gentlemen of the Congress: I have called the Congress into extraordinary session because there are serious—very serious—choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making.

On the third of February last I officially laid before you the extraordinary announcement of the Imperial German Government that on and after the first day of February it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain and Ireland or the western coasts of Europe, or any of the ports controlled by the enemies of Germany within the Mediterranean.

That had seemed to be the object of the German submarine warfare earlier in the war, but since April of last year the Imperial German Government had somewhat restrained the commanders of its under-sea craft in conformity with its promise then given to us that passenger boats should not be sunk and that due warning would be given to all other vessels which its submarines might seek to destroy, when no resistance was offered or escape attempted, and care taken that their crews were given at least a fair chance to save their lives in their open boats.

The precautions taken were meager and haphazard enough, as was proved in distressing instance after instance in the progress of the cruel and unmanly business, but a certain degree of restraint was observed.

The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents.

Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe-conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable

marks of identity, have been sunk with the same reckless lack of compassion or of principle.

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International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world.

By painful stage after stage has that law been built up, with meager enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view, at least, of what the heart and conscience of mankind demanded.

This minimum right the German Government has swept aside under the plea of retaliation and necessity, and because it had no weapons which it could use at sea except these, which it is impossible to employ, as it is employing them, without throwing to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world.

I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wanton and wholesale destruction of the lives of non-combatants—men, women, and children—engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be.

The present German warfare against commerce is a warfare against mankind. It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of; but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way.

There has been no discrimination. The challenge is to all mankind. Each nation must decide for itself how it will meet it. The choice we make for ourselves must be made with a moderation of counsel and a temperateness of judgment befitting our character and our motives as a nation. We must put excited feeling away. Our motive will not be revenge or the victorious assertion of the physical might of the nation, but only the vindication of right, of human right, of which we are only a single champion.

When I addressed the Congress on the twenty-sixth of February last I thought that it would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence.

But armed neutrality, it now appears, is impracticable. Because

submarines have been used against merchant shipping it is impossible to defend ships against their attacks, as the law of nations has assumed that merchantmen would defend themselves against privateers or cruisers, visible craft, giving chase upon the open sea.

It is common prudence in such circumstances, grim necessity indeed, to destroy them before they have shown their own intention. They must be dealt with upon sight, if dealt with at all.

The German Government denies the right of neutrals to use arms at all within the areas of the sea which it has prohibited even in the defense of rights which no modern publicist has ever before questioned their right to defend.

The intimation is conveyed that the armed guards which we have placed on our merchant ships will be treated as beyond the pale of law and subject to be dealt with as pirates would be. Armed neutrality is ineffectual enough at best. In such circumstances and in the face of such pretensions it is worse than ineffectual. It is likely only to produce what it was meant to prevent. It is practically certain to draw us into the war without either the rights or the effectiveness of belligerents.

There is one choice we cannot make, we are incapable of making: We will not choose the path of submission and suffer the most sacred rights of our nation and our people to be ignored or violated. The wrongs against which we now array ourselves are not common wrongs; they cut to the very roots of human life.

With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it and that it take immediate steps not only to put the country in a more thorough state of defense, but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war.

What this will involve is clear. It will involve the utmost practicable coöperation in counsel and action with the Governments now at war with Germany, and, as incident to that, the extension to those Governments of the most liberal financial credits, in order that our resources may, so far as possible, be added to theirs. It will involve the organization and mobilization of all the material resources of the country to supply the materials of war and serve

the incidental needs of the nation in the most abundant, and yet the most economical and efficient, way possible.

It will involve the immediate full equipment of the navy in all respects, but particularly in supplying it with the best means of dealing with the enemy's submarines. It will involve the immediate addition to the armed forces of the United States, already provided for by law in case of war, of at least 500,000 men, who should, in my opinion, be chosen upon the principle of universal liability to service, and also the authorization of subsequent additional increments of equal force so soon as they may be needed and can be handled in training.

It will involve also, of course, the granting of adequate credits to the Government, sustained, I hope, so far as they can equitably be sustained by the present generation, by well conceived taxation. I say sustained so far as may be equitable by taxation because it seems to me that it would be most unwise to base the credits which will now be necessary entirely on money borrowed. It is our duty, I most respectfully urge, to protect our people so far as we may against the very serious hardships and evils which would be likely to arise out of the inflation which would be produced by vast loans.

In carrying out the measures by which these things are to be accomplished we should keep constantly in mind the wisdom of interfering as little as possible in our own preparation and in the equipment of our own military forces with the duty—for it will be a very practical duty—of supplying the nations already at war with Germany with the materials which they can obtain only from us or by our assistance. They are in the field and we should help them in every way to be effective there.

I shall take the liberty of suggesting, through the several executive departments of the Government for the consideration of your committees, measures for the accomplishment of the several objects I have mentioned. I hope that it will be your pleasure to deal with them as having been framed after very careful thought by the branch of the Government upon which the responsibility of conducting the war and safeguarding the nation will most directly fall.

While we do these things, these deeply momentous things, let us be very clear, and make very clear to all the world what our motives and our objects are. My own thought has not been driven from its habitual and normal course by the unhappy events of the last two months, and I do not believe that the thought of the nation has been altered or clouded by them.

I have exactly the same thing in mind now that I had in mind when I addressed the Senate on the twenty-second of January last; the same that I had in mind when I addressed the Congress on the third of February and on the twenty-sixth of February. Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles.

Neutrality is no longer feasible or desirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force, which is controlled wholly by their will, not by the will of their people. We have seen the last of neutrality in such circumstances.

We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. It was not upon their impulse that their Government acted in entering this war. It was not with their previous knowledge or approval.

It was a war determined upon as wars used to be determined upon in the old, unhappy days when peoples were nowhere consulted by their rulers and wars were provoked and waged in the interest of dynasties or of little groups of ambitious men who were accustomed to use their fellow-men as pawns and tools.

Self-governed nations do not fill their neighbor states with spies or set the course of intrigue to bring about some critical posture of affairs which will give them an opportunity to strike and make conquest. Such designs can be successfully worked only under cover and where no one has the right to ask questions.

Cunningly contrived plans of deception or aggression, carried, it may be, from generation to generation, can be worked out and kept from the light only within the privacy of courts or behind the carefully guarded confidences of a narrow and privileged class. They are happily impossible where public opinion commands and insists upon full information concerning all the nation's affairs.

A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants. It must be a league of honor, a partnership of opinion. Intrigue

would eat its vitals away, the plottings of inner circles would be a corruption seated at its very heart. Only free peoples who could plan what they would and render account to no one can hold their purpose and their honor steady to a common end and prefer the interests of mankind to any narrow interest of their own.

Does not every American feel that assurance has been added to our hope for the future peace of the world by the wonderful and heartening things that have been happening within the last few weeks in Russia?

Russia was known by those who knew it best to have been always in fact democratic at heart, in all the vital habits of her thought, in all the intimate relationships of her people that spoke their natural instinct, their habitual attitude toward life.

Autocracy that crowned the summit of her political structure, long as it has stood and terrible as was the reality of its power, was not in fact Russian in origin, in character or purpose, and now it has been shaken and the great, generous Russian people have been added in all their native majesty and might to the forces that are fighting for freedom in the world, for justice, and for peace.

Here is a fit partner for a league of honor.

One of the things that has served to convince us that the Prussian autocracy was not and could never be our friend is that from the very outset of the present war it has filled our unsuspecting communities and even our offices of government with spies and set criminal intrigues everywhere afoot against our national unity of council, our peace within and without, our industries and our commerce.

Indeed it is now evident that its spies were here even before the war began, and it is unhappily not a matter of conjecture but a fact proved in our courts of justice that the intrigues which have more than once come perilously near to disturbing the peace and dislocating the industries of the country have been carried on at the instigation, with the support, and even under the personal direction of official agents of the Imperial Government accredited to the Government of the United States.

Even in checking these things and trying to extirpate them we have sought to put the most generous interpretation possible upon them because we know that their source lay, not in any hostile feeling or purpose of the German people toward us (who were, no doubt, as ignorant of them as we ourselves were) but only in the selfish designs of a Government that did what it pleased and told its people nothing. But they have played their part in serving to convince us at last that that Government entertains no real friend-

ship for us and means to act against our peace and security at its convenience. That it means to stir up enemies against us at our very doors the intercepted note to the German minister at Mexico City is eloquent evidence.

We are accepting this challenge of hostile purpose because we know that in such a Government following such methods we can never have a friend; and that in the presence of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic governments of the world.

We are now about to accept gage of battle with this natural foe to liberty, and shall, if necessary, spend the whole force of the nation to check and nullify its pretensions and its power. We are glad, now that we see the facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its people—the German people included—for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience.

The world must be made safe for democracy. Its peace must be planted upon the trusted foundations of political liberty.

We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of the nation can make them.

Just because we fight without rancor and without selfish objects seeking nothing for ourselves but what we shall wish to share with all free peoples, we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for.

I have said nothing of the governments allied with the Imperial Government of Germany because they have not made war upon us or challenged us to defend our right and our honor.

The Austro-Hungarian Government has, indeed, avowed its unqualified indorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States

on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna.

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We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

It will be all the easier for us to conduct ourselves as belligerents in a high spirit of right and fairness because we act without animus, not in enmity toward a people or with the desire to bring any injury or disadvantage upon them, but only in armed opposition to an irresponsible Government which has thrown aside all consideration of humanity and of right and is running amuck.

We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us—however hard it may be for them, for the time being, to believe that this is spoken from our hearts.

We have borne with their present Government through all these bitter months because of that friendship—exercising a patience and forbearance which would otherwise have been impossible. We shall, happily, still have an opportunity to prove that friendship in our daily attitude and actions toward the millions of men and women of German birth and native sympathy who live amongst us and share our life, and we shall be proud to prove it toward all who are in fact loyal to their neighbors and to the Government in the hour of test. They are, most of them, as true and loyal Americans as if they had never known any other fealty or allegiance. They will be prompt to stand with us in rebuking and restraining the few who may be of a different mind and purpose.

If there should be disloyalty, it will be dealt with with a firm hand of stern repression; but if it lifts its head at all, it will lift it only here and there and without countenance except from a lawless and malignant few.

It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring

peace and safety to all nations and make the world itself at last free.

To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

The President's war message was justly regarded as an utterance worthy to rank with the messages of Washington and Lincoln. The response of Congress came swiftly and in a whole-hearted manner. Within three days both houses had agreed upon a joint resolution recognizing the existence of a state of war with Germany and authorizing the President to use the entire military and naval forces of the country to prosecute the war. The vote on the resolution in the Senate was eighty-two to eight; in the House the vote was 373 to fifty. The whole country responded to the President's call, for it felt with him that the German Government had run amuck in the world and that its power must be broken.

CARRYING ON THE WAR

The Task

The task before the country was one of stupendous proportions. The entire strength of the nation had to be thrown against an enemy that was fighting on battle-fields that lay across a submarine-infested sea three thousand miles in width. Four things had to be done at once: American fighting ships must be despatched with all possible swiftness to the scene where the German submarines were most active; vast quantities of food must be shipped from America to France, Italy, and Great Britain; money in large sums must be furnished to the governments of the nations that were fighting against Germany; an armed force of American soldiers must be hurried to Flanders and France.

The Navy

The first of the tasks could be approached in a confident spirit, for the navy was in good trim and was ready to mobilize. Even before the declaration of war Rear-Admiral William S. Sims had been ordered to England to arrange for coöperation between our navy and the navies of the allies. As soon as hostilities began a flotilla of American submarine destroyers started for the British Isles and by May 4 had arrived at Queenstown ready for imme-

mediate action. This initial force was followed by others until at last our naval strength abroad consisted of 5000 officers and 70,000 enlisted men. In the work of combating the submarine the American navy performed the highly valuable service of laying four fifths of the mine barrage which extended from the Orkney Islands to Norway.

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XXXV.

The necessity of beating down the submarine was hardly less pressing than was the demand that food be sent quickly to the allies, for if there should be delay in this the rations would soon be reduced to a crust. "We must supply abundant food," said the President on April 15, "not only for ourselves and for our armies and our seamen, but also for a large part of the nations with whom we have now made common cause." Since there was a shortage of cereals and provisions in the United States as well as in Europe, and since food supply and victory seemed to be linked together, it was found necessary to deal with the food question in a very firm manner. A Food Control Act was passed on August 10 conferring upon the President broad powers of fixing prices with the view of stimulating production and preventing extortion. The act made it unlawful to destroy or hoard food, and provided for its general regulation and distribution. As the director of the Food Administration the President appointed Herbert C. Hoover, whose services as the head of relief work in Belgium had already won him fame. Through the efforts of the Food Administration the existing supplies of food were conserved and production was greatly increased. By a system of rationing, immense quantities of foods needed by the allies were saved, and by guaranteeing a minimum price of \$2.20 a bushel for wheat the farmers were encouraged to produce more grain.

The Food
Question

The third task, that of furnishing money to the allies, was not so very difficult, for we were the richest country in the world and the vaults of our banks were almost bursting with the gold which for three years we had been receiving from abroad in payment for munitions and provisions. The Government, therefore, could conduct its war finances on a prodigious scale. The appropriations made during the first session of the Congress which declared the war amounted in all to more than \$21,000,000,000. Of this \$7,000,000,000 was lent to the allies. By the time the war ended more than \$30,000,000,000 had been appropriated for meeting its expenses. First and last we lent the allies upward of \$10,000,-

Furnishing
Money to
the Allies

000,000. In order to raise the huge sums required for carrying on the war, heavy taxation and borrowing on a vast scale were necessary and it was fortunate that Congress could make use of its new power to tax incomes and that the new Federal Reserve Banks were present for the establishment of credits. In October, 1917, Congress enacted the greatest war revenue bill ever presented to the taxpayers of a nation in all the history of legislation, the sum levied being in the neighborhood of \$3,000,000,000. A portion of the sum borrowed was secured by the sale of war savings stamps, but by far the greater part of the borrowed money was obtained by the sale of Liberty bonds. Four Liberty loans were floated, ranging in amount from \$2,000,000,000 to \$6,000,000,000. The number of persons who subscribed to the several issues of Liberty bonds ranged from 4,000,000 to 21,000,000. Just after the war ended a Victory loan of \$4,500,000,000 was floated. By the time the war was well over the bonded debt of the nation had mounted to the staggering sum of \$25,000,000,000.

Ships and food and money were not enough. There was the fourth task—the sending abroad of an armed force. At the beginning of the war it was thought that the United States might not be called upon to send very large armies across the waters, but this proved to be a mistaken view. Immediately after our entrance General Joffre visited the United States and urgently requested that American troops should be sent to France as soon as possible. President Wilson decided that General Pershing with a small force of men should be promptly despatched for duty on the fighting line in France. Accordingly by July 4 a battalion of American soldiers were in Paris parading through the streets amid the enthusiastic demonstrations of the people. But the number of trained soldiers that could be sent to the front was a mere handful compared to the number that would be needed if we were to do any real fighting. Our regular army consisted of only about 100,000 men. In previous wars we had always depended upon volunteers to come forward when the trumpet was sounded, but this time volunteering was rather slow. Congress accordingly decided that conscription was necessary. On May 17 the Selective Draft Act was passed. This provided that on a day to be named by the President, there should be a general registration of all men who had reached their twenty-first birthday but who had not reached their thirty-first birthday, the purpose of the registration

being to secure an enrolment of names from which to draft soldiers for the army that was to be used in the war against Germany. The day named for registration was June 5, a memorable date in the life of the nation. From ocean to ocean and from Canada to Mexico, the married and unmarried, foreigners and native-born Americans, the strong and the weak, the rich and the poor, to the number of nearly 10,000,000, entered registration offices in tens of thousands of communities and were enrolled for service in the war. Such a spectacle was never before witnessed in the history of the world. It was conscription, but to the mind of President Wilson it was in no sense a conscription of the unwilling; it was rather, he said, selection from a nation which had already volunteered in a mass. From the whole number of registrants the President was empowered to call out first 500,000 men and then an additional 500,000. After the machinery of conscription was set in motion, the number of men authorized by Congress to be drafted was increased and the age limit for registration was extended to forty-five years. The size of the National Army—as the newly organized force was called—went on increasing until it reached nearly 4,000,000, while the total number of registrants exceeded 24,000,000. Thus every ounce of the potential military strength possessed by the nation was placed at the service of the Government.

Military strength alone no longer wins wars. The men at the guns must be supported by the social and industrial forces of the nation. An agency of incalculable value to the American army and navy was the Council of National Defense, which Congress, as if foreseeing the day of war, created in August, 1916. The council was composed of six members of the cabinet and was assisted by an advisory commission composed of experts in the industries most essential to the prosecution of the war. Its chief function was to coördinate the industries of the country and get them in touch with the Government. More than one hundred highly trained men from almost every walk of life gave their entire time to the work of the council and gave it gratis. In addition to the thousands who took part in the work of the council, vast numbers of men and women in no way connected with the Government assisted in doing the things that were necessary for the winning of the war. Bankers and writers and orators joined in making appeals to the people to lend their money to Uncle Sam. When the Red Cross

asked for a gift of \$100,000,000, men and women all over the country took up the task of raising the money, with the result that the drive for "humanity" dollars was more than successful. As in the Civil War, so now, the women of the nation came forward to do their "bit," and nothing could be worthy of more praise and admiration than their devotion and loyalty.

In military circles the energies of officers were devoted during the first months of the war to the training of the boys who were to go to France. As a rule before a soldier could be made ready for the firing line he had first to be trained six months at home and then two or three months abroad. The training was done on a tremendous scale and was carried forward with commendable rapidity. For the housing of the men it was necessary to build little army cities called cantonments. In each cantonment there were accommodations for nearly fifty thousand soldiers. "Thirty-two of these encampments were built in ninety days from the driving of the first nail, complete in every municipal detail, a feat declared impossible and which will stand for all time as a building miracle." In addition to the cantonments there were numerous schools for the training of officers, engineers, aviators, and others whose duties were of a special nature. Altogether facilities were established for training at a single time nearly a million and a half of men.

By the autumn of 1917 the training-camps were active and a stream of soldiers bound for France was beginning to flow. At first it seemed there were not enough ships in the world to carry the Americans over. But in one way and another vessels were found. Carriers of almost every description were pressed into service. About one hundred German vessels lying interned in American harbors were eagerly seized. In scores of American shipyards hundreds of thousands of men worked with all their might to build as quickly as possible the ships that were so badly needed. Vessels of neutral nations were hired, while the allies of course furnished all the assistance possible. Of the men transported nearly half were carried in British ships. As the months passed the stream of American soldiers moving toward France widened and grew in volume until it became a mighty flood. By the end of 1917 our boys were going over at the rate of 50,000 a month; by July, 1918, they were being rushed across at the rate of 10,000 a day. In all more than 2,000,000 were transported to

France. And they crossed in safety: the submarines were cheated of their prey. Not a single transport ship on its voyage to France was lost.

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XXXV

It was lucky for the allies that Americans appeared upon the scene in impressive numbers in the spring of 1918; for it was then that Germany was making an effort to crush her enemies by a series of terrific blows. Massing nearly 4,000,000 men early in 1918, she began on March 21 a forward movement which for a while caused the whole world to hold its breath in suspense. The allies were pushed back and for several days it seemed that their line would break and that Amiens, a great railroad center and a depot of British supplies, would be captured. If this city should be taken the Germans would either press on to the channel ports or would move southward upon Paris. But Amiens was saved and the first drive was a failure. Germany was quick, however, to begin a second drive, for she was now taking a gambler's last desperate chance. She was no more successful in the second thrust than she was in the first. Late in May she began a third drive. By this time the allies were reaping the advantage that comes with unity of control, for the troops of the United States, Great Britain, and Italy, as well as those of France, had all been placed under the direction of General Ferdinand Foch. And the allies were also gaining in the matter of morale, for their lines were being strengthened by substantial numbers of American troops. Near Château-Thierry our boys on June 6 drove back the Germans on a two-mile front and took a goodly number of prisoners. "We all thank God," said President Wilson, "that our men went in force into the line of battle just at the critical moment when the whole fate of the world seemed to hang in the balance, and threw their fresh strength into the ranks of freedom in time to turn the whole tide and sweep of the fateful struggle." The victory of the Americans at Château-Thierry caused the Germans to realize that they had to deal with a new foe and with one that could fight. They made two more drives, but both times they were foiled. By the middle of July they saw that their mighty offensive movement had spent its force and that they must have recourse to a defensive campaign. This change of tactics was the beginning of the end. General Foch assumed the offensive and before many weeks had passed the Germans were on the retreat, suffering defeat after defeat. In driving the enemy back, the Americans rendered a

A
Gambler's
Last Des-
perate
Chance

Americans
Enter the
Fight at a
Critical
Moment

service which all the time increased in effectiveness, for their numbers were constantly swelling. At St. Mihiel in a three days' fight (September 11-13) they drove the Germans from a position which they had long held, captured 16,000 prisoners, and recovered 200 square miles of territory. In the Argonne forest every available American division was thrown against the enemy and every available German division was thrown in to meet them. In



Map Showing Where the Americans Fought

this engagement troops on the American side numbered nearly 1,200,000. Beginning in the last days of September, the battle in the Argonne continued for forty-seven days. Foot by foot American troops pushed back German divisions, destroying their morale and breaking their power.

Germany
Asks for an
Armistice

Long before the fighting in the Argonne was over Germany knew that she was beaten. On October 4 she addressed a note to President Wilson requesting him to bring about the immediate conclusion of a general armistice on land, on water, and in the air. As a basis for peace negotiations Germany accepted the program laid down by the President of the United States in his message to

Congress of January 8, 1918, and in his subsequent pronouncements, particularly in his address of September 27, 1918. In the January speech were the celebrated "fourteen points": open diplomacy openly arrived at; the freedom of the seas in peace and war; the removal of economic barriers between nations; the reduction of armaments; the impartial adjustment of colonial claims; the evacuation of Russian territory; the evacuation and restoration of Belgium; a guarantee of the political and economic independence of the Balkan states; the righting of the wrong done to Alsace-Lorraine; the people of Austria-Hungary to be given opportunity for autonomous development; the Dardanelles to be opened permanently as a free passage to the commerce of the world; an independent Poland; a readjustment of the frontiers of Italy; a general association of nations. In the September speech the President, after dwelling in general terms upon what he considered the essentials of a just peace, had declared that no peace could be made by any kind of bargain or compromise within the governments of the Central Empires. "They have convinced us," he said, "that they are without honor and do not intend justice." On this point of not dealing with the military masters of Germany Wilson was strongly insistent: before he would enter into negotiations for an armistice he must first be informed whether the imperial chancellor—who was the medium of communication—was speaking for the military authorities of the empire. Having been assured that the existing government, in which many changes had just been made, was in agreement with a majority of the Reichstag and that the chancellor was speaking in the name of the German people, the President consented to arrange for an armistice. But in accordance with the wishes of the allies the original terms were amended in two important particulars: first, the allies and the United States reserved to themselves the right to interpret the phrase "the freedom of the seas" in such manner as they might see fit; secondly, they also insisted that the stipulation that invaded territories must be "restored as well as evacuated" must be interpreted to mean "that compensation will be made by Germany for all damage done to the civilian population of the allies and their property by the aggressions of Germany, by land, by sea, and from the air." Before the armistice could go into effect Germany must agree to withdraw her soldiers from Belgium and France; to surrender her submarines and disarm most of her

battle-ships; to hand over to the allies immense numbers of cannon, machine-guns, aëroplanes, locomotives, and freight-cars; to allow the German territory west of the Rhine to be occupied by the allied armies. In brief, Germany must virtually disarm herself and agree to an unconditional surrender. While the German Government was considering the terms of the armistice the kaiser abdicated and fled to Holland and a German republic was set up. On November 11 Germany formally agreed to the terms of the armistice. "The war," said President Wilson, when announcing the terms of the surrender to Congress, "thus comes to an end, for having accepted these terms it will be impossible for the German command to renew it."

Never before in all history had there been such a cruel, costly, and bloody struggle. The fighting lasted fifty-two months. Nearly every important nation on earth was engaged. About 7,000,000 men were killed and 15,000,000 wounded. Of Americans, about 50,000 lost their lives and 200,000 were wounded. The money cost of the war to all the countries engaged was about \$200,000,000,000. America's share, if to the military cost we add the extra cost of Government functions, relief contributions, pension costs—immediate and prospective—and other outlays made necessary by the war, was close to \$50,000,000,000. But these figures only begin to tell the financial story. Europe was left bankrupt. Among the defeated powers Austria, Hungary, and Germany in 1921 each had a national debt in excess of its wealth. The total national debts of the world in 1920, according to an estimate made by O. P. Austin, was \$265,000,000,000, a sum slightly in excess of the total estimated national wealth of Great Britain, France, Italy, and Germany. When thinking of the stupendous legacy of debt left by the Great War the words of James G. Blaine are recalled. "It is a melancholy thought," said Blaine once when speaking of national debts, "that this almost incalculable sum of money was borrowed and expended, not to promote the ends of peace, not to develop agriculture or the mechanic arts, not to build highways for commerce and trade, not to improve harbors and the navigation of rivers, not to found institutions of learning or of charity or of mercy, not to elevate the standard of culture among the masses—not for any or all of these laudable objects, but for the waste, the cruelty, the untold agonies of war."

NOTES AND CHRONOLOGY

(This material is indexed. It does not include subjects treated in the main body of the text.)

- 1914 June 28 Assassination of the Archduke of Austria.
 July 28 Austria declares war upon Serbia.
 July 30 Germany demands that Russian mobilization cease.
 August 1 Germany declares war upon Russia.
 " 2 Germany demands safe passage through Belgium, which is refused.
 " 4 Germany declares war upon France.
 Great Britain declares war upon Germany.
 " 5 Germans attack Liège.
 " 6 Austria declares war upon Russia.
 " 8 Portugal announces herself an ally of Great Britain.
 " 10 France declares war upon Austria.
 " 12 French war office announces that troops are in contact from Holland to Switzerland, a distance of 240 miles.
 " 12 Great Britain declares war on Austria.
 " 23 Japan declares war on Germany.
 Sept. 12 German army checked at the Marne and bent back.
 Oct. 29 Turkey begins war on Russia.
- 1915 Feb. 18 German submarine "blockade" of Great Britain begins.
 Mar. 28 The *Falaba*, a passenger ship, sunk by a German submarine, with the loss of one American citizen.
 Apr. 30 American tanker, *Gulflight*, torpedoed.
 May 23 Italy declares war upon Austria.
 Oct. 14 Bulgaria declares war on Serbia.
 Dec. 4 Henry Ford with peace party sails to get the boys out of the trenches by Christmas.
 " 9 The German chancellor tells Socialists in Reichstag that war must go on until Allies ask for peace.
- 1916 Feb. 28 French checked German advance upon Verdun.
 Mar. 8 Germany declares war upon Portugal.
 May 25 The British Compulsory Service Bill was passed.
 " 31 Battle off coast of Jutland between British and German fleets.
 Aug. 27 Italy declared war on Germany.
 Rumania enters war on the side of the Allies.
 Dec. 7 David Lloyd-George accepts the post of Prime Minister.
 " 21 Secretary Lansing announces that the United States are drawing near to the verge of war.
 " 24 Germany replies to President Wilson's note to the belligerents proposing an "immediate meeting of delegates of the belligerent states at a neutral place."
 " 30 The Allies reply to the peace note of Germany, refusing "to consider a proposal which is empty and insincere."
- 1917 Feb. 28 The United States Government makes public the Zimmermann note. (This note, addressed to the German Minister to Mexico, read as follows:
 "Berlin, Jan. 19, 1917.—On February 1 we intend to

begin submarine warfare unrestricted. In spite of this, it is our intention to endeavor to keep neutral the United States of America. If this attempt is not successful we propose an alliance on the following basis with Mexico: That we shall make war together and together make peace. We shall give general financial support and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas and Arizona. The details are left to you for settlement. You are instructed to inform the President of Mexico of the above in the greatest confidence as soon as it is certain that there will be an outbreak of war with the United States and suggest that the President of Mexico, on his own initiative, should communicate with Japan, suggesting adherence at once with this plan. At the same time, offer to mediate between Germany and Japan. Please call to the attention of the President of Mexico that the employment of ruthless submarine warfare now promises to compel England to make peace in a few months.")

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|------|------|----|---|
| 1917 | Mar. | 11 | The Russian Revolution has its beginnings in Petrograd. |
| | " | 15 | Czar Nicholas II abdicates the throne of Russia. |
| | June | 12 | Congress passes the Espionage Bill. |
| | " | 26 | The first contingent of American troops arrives in France. |
| | July | 20 | The drawing of draft numbers under the Conscription Act begins in Washington. |
| | Aug. | 7 | Siberia declares war on Germany. |
| | " | 14 | China declares war on Germany. |
| | " | 15 | An appeal for peace is made to the belligerents by Pope Benedict. |
| | Oct. | 26 | Brazil declared war upon Germany. |
| | " | 27 | American troops in France fired their first shot in trench warfare. |
| | Nov. | 10 | Lenine is named as Premier of Russia and Leon Trotsky as Minister of Foreign Affairs. |
| | " | 15 | Georges Clemenceau becomes Premier of France. |
| | " | 29 | Lord Landsdowne makes his peace proposal. |
| | " | 30 | The Rainbow Division of the U. S. 'A. reaches France. |
| | Dec. | 7 | The United States declares war on Austria. |
| 1918 | Jan. | 31 | United States troops for first time occupy first-line trenches. |
| | Mar. | 3 | The Treaty of Brest-Litovsk is entered into by the Central Powers and the Bolsheviks, the latter agreeing to evacuate Ukraine, Estonia, Livonia, and Finland. |
| | " | 11 | President Wilson sends message to Congress of Soviets expressing sympathy with the Russian people. |
| | " | 21 | The big German drive of 1918 begins. |
| | " | 23 | Paris is bombarded by long-range "fat Bertha" guns from a distance of 75 miles; 10 killed, 15 wounded. |
| | " | 29 | The German drive is checked. |
| | Apr. | 13 | General Foch is given command of the Allied armies. |
| | May | 27 | Second big German drive begins. |
| | June | 6 | West of Château-Thierry United States troops drive Germans back a mile on a two-mile front. |
| | " | 12 | United States troops seize Belleau Wood. |

- 1918 June 12 London announces that the German advance had practically ceased.
- July 13 General March announces that more than 750,000 American troops are in France.
- “ 15 Haiti declares war on Germany.
- “ 19 Honduras declares war on Germany.
- Germany begins a retreat across the Marne.
- Aug. 21 General March announces that 32 United States army divisions are on French soil.
- Sept. 13 General Pershing's forces practically wipe out the St. Mihiel salient.
- “ 21 General March announces that 1,750,000 American soldiers have been sent abroad.
- “ 30 Bulgaria drops out of the war.
- Oct. 14 President Wilson informs Germany that an armistice must depend upon the assurance of the military supremacy of the armies of the Allies and of the United States.
- Nov. 6 Austria accepts terms of truce and an armistice goes into effect.
- “ 8 The German Chancellor, unable to control the Socialists, the most powerful bloc in the Reichstag, resigns.
- “ 10 The Emperor of Germany and suite flee to Holland.

XXXVI

AFTER THE WAR

MAKING A PEACE

SIX days before the armistice was signed the congressional elections resulted in restoring the Republicans to power both in the Senate and in the House. For six years the Democrats had been in control of the Government and Wilson's wishes had prevailed. When Congress passed under the control of the Republicans on March 4, 1919, the Wilsonian leadership in domestic affairs virtually came to an end.

Wilson in
Europe

In world affairs, however, Wilson continued to hold the center of the stage. A few days after the signing of the armistice it was announced that he would attend in person the peace conference which was to meet in Paris. Reaching the Continent several weeks before the assembling of the conference, he made tours in England, France, and Italy, and wherever he went he was received with unbounded enthusiasm. The peoples of Europe seemed to regard him as their chosen spokesman. His power at one time was probably greater than that of any other man in the world. "Your man Wilson," said Lord Northcliffe early in 1919 to a group of newspaper men, "can smash any cabinet in Europe." The popularity of the American President was due largely to the lofty idealism of his utterances.

A Stern
Reckoning

But a green table around which a peace settlement is to be made is a poor place for lofty idealism. There had been a victory, an overwhelming victory, and, as the President had foreshadowed,¹ the peace was a "victor's terms imposed upon the vanquished." The representatives of Germany were not allowed to come to Paris until the terms were ready, and when they came their only function was to sign the document presented to them. On June 28, 1919, the treaty was concluded at Versailles. It contained two

¹ See p. 776.

general features: a stern reckoning with Germany, and a plan for a League of Nations. Germany must give up all her colonies; she must cede Alsace-Lorraine to France; she must abolish conscription, and reduce her army to 100,000 men; she must reduce her navy to a few fighting ships and must have no submarines at all; she must devote her economic resources to the renovating of the region devastated by her armies in France and Belgium; she must restore to Britain and the other allied peoples the shipping, ton for ton, which she had sunk or destroyed; she must deliver each year to France and Belgium many millions of tons of coal in return for the coal taken by her during the war; she must agree to the payment of a money indemnity vastly larger than any that had ever before been demanded of a conquered nation. The League of Nations provided for machinery by which it was hoped that universal peace might be secured and international coöperation promoted. The league was to act through an assembly comprising not more than three representatives of each of the member states, and a council comprising one representative of each of the great powers having membership in the league. In the assembly and also in the council each state was to have one vote. Either the council or the assembly was authorized to deal with any question that might have an international interest or that might threaten the peace of the world. The league accepted certain responsibilities with regard to labor conditions, declaring that an eight-hour day should be the standard aimed at and subscribing to the principle that men and women ought to receive the same pay for the same service.

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The League
of Nations

In July the Treaty of Versailles was laid before the Senate of the United States for ratification. The league, the President declared, was the only hope of mankind, and to reject it would leave the way open for another war. But in the Senate the league met with powerful opposition, the attack being directed chiefly against Article X, which read: "The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the League. In case of any such aggression or in case of any threat or danger of such aggression, the Executive Council shall advise upon the means by which this obligation shall be fulfilled." Under this article, said the opponents of the league, the United States could be forced to go to war over

The Senate
and the
Treaty of
Versailles

European controversies without regard to the wishes of Congress. In order to rally public sentiment the President went before the people, urging them to support the league. He addressed large audiences in almost every section of the country. On his way back from the Pacific coast he suffered a nervous collapse and was forced to return to Washington, where for several months he was confined to the White House. In the meanwhile the struggle in the Senate continued and by November, 1919, a situation developed which resulted in the defeat of the treaty and the indefinite postponement of the entire subject. This outcome left us technically at war with Germany, although in reality we were at peace with her. The Treaty of Versailles was ratified by enough European nations to enable it to be proclaimed on January 10, 1920. Six days later the first meeting of the council of the league was held.

RECONSTRUCTION

While attempts were being made to restore normal international relations the country was striving as best it could to readjust itself to the new conditions produced by the upheavals of the war. The first thing to be done was to disband an army of 4,000,000 men, half of whom were in France and half in America. Demobilization was carried forward with such energy that within twelve months after the signing of the armistice virtually all the boys who had gone to France were back in America and all in the home camps were released. The nation that had been bristling with arms assumed an aspect that grew more and more peaceful until at last a soldier in uniform was rarely seen. By 1922 the armed force of the United States consisted of considerably less than 150,000 men.

In the wake of the war came two amendments to the Constitution. The first of these undertook to bring about a great social reform. While the fighting was going on the enemies of the saloons worked with all their might in behalf of prohibition, with the result that by January, 1919, the legislatures of forty-nine States had ratified the Eighteenth Amendment, which prohibits the manufacture and sale of intoxicating liquors for beverage purposes within the United States and all territory subject to the national jurisdiction. The adoption of this amendment was fol-

lowed by the Volstead Act (October, 1919), a law which prescribed in great detail rules for the enforcement of prohibition. The second of the amendments brought about a sweeping and remarkable political reform. The advocates of equal suffrage¹ remained industrious during the war and brought State after State into line. Seeking to secure nation-wide suffrage, they prevailed upon Congress to submit to the States for ratification the Nineteenth Amendment, which expressly declares that sex shall not be a bar to suffrage. The amendment was carried through the legislature with great rapidity and by August, 1920, having been ratified by three fourths of the States, was proclaimed as part of the Constitution. Henceforth American democracy was to be theoretically 100 per cent pure.

CHAP.
XXXVIThe
Volstead
Act

The war had hardly begun before it became plain that there was present in the United States a large body of foreigners who might easily become a menace to the country and its institutions. As a restrictive measure, the Burnett Bill was passed (1917). This law raised the tax on immigrants from \$4 to \$8; imposed heavy penalties for bringing in persons whom the law seeks to exclude; and established a "literacy test" by requiring that all immigrants over sixteen years of age should be able to read in some language. It was soon seen that merely to put up the bars against foreigners would not solve the problem with which the country was confronted. Something would have to be done about the aliens who had already come in. In twelve years before the outbreak of the war with Germany nearly 15,000,000 foreigners—Italians, Russians, Greeks, Poles, Hungarians, Rumanians—came to America and entered industrial life. But they did not enter into the real life of the American people. They could not speak our language, and in respect to our government and laws and traditions they were of course in a woeful state of ignorance. Nearly 6,000,000 of them were such complete strangers in America and cared so little for us that they had no desire to become citizens of the United States. The problem was one of Americanization: these millions of foreigners must be assimilated into American life; they must be taught to live in the American way; they must be indoctrinated in American ideals and acquire an affection for America. In a local way tasks of Americanization were taken up by public spirited citizens and much good work was done. At the close of

The
Burnett
BillAmerican-
ization

¹See p. 738.

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the war there were indications that Uncle Sam also would assist in Americanization work. In 1920 the Kenyon Americanization Bill providing for the instruction of aliens through the coöperation of the Federal Government and the States passed in the United States Senate; but it was not acted upon by the House. The only attempt made by Congress after the war to deal with the immigrant question was to pass in 1921 a restrictive measure which provided that for a period of one year the number of aliens of any nationality permitted to come to the United States in any fiscal year should not exceed 3 per cent of the foreign-born persons of the same nationality already living here, taking the census of 1910 as the basis of computation. In 1922 the 3 per cent rule was extended for the period of one more year.

The
Transporta-
tion Act of
1920

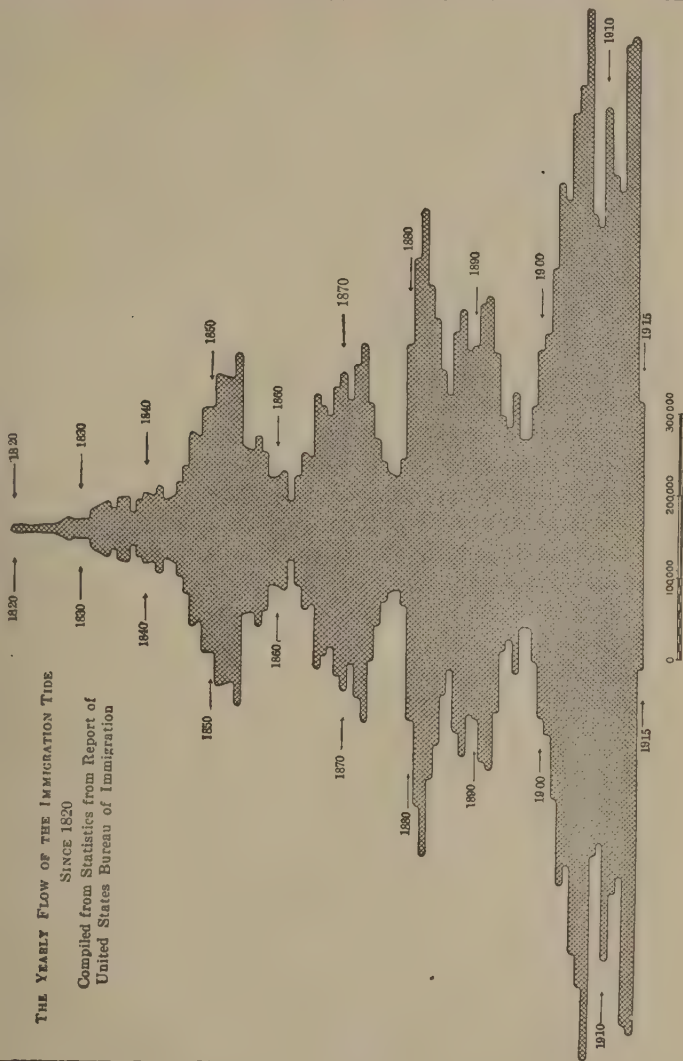
More immediate and pressing than the immigrant question was the transportation problem. By the end of 1917 the railroad service had become so bad that war activities were being interfered with. Accordingly the Government, acting under the authority of a law passed in 1916, issued an order assuming full control of the railroads. "Over 400 separate corporations, 650,000 shareholders, 260,000 miles of road, property valued at \$17,500,000,000, and about 1,600,000 employees were affected by this order." When peace came the owners of the railroads asked that their property be returned to them. Federal control was terminated by the Transportation Act of 1920. One outstanding feature of this law was the power given to the Interstate Commerce Commission to establish minimum as well as maximum charges; that is, to establish an absolute rate. In all cases, however, the commission must prescribe such rates as will give a fair return on the aggregate value of the property used in transportation, a provision which has been construed as being a guarantee to the railroads that their business shall be profitable. Another significant feature of the law was the creation of a Railroad Labor Board consisting of nine members to be appointed by the President. Three of the members of the board must be representatives of the railroad workers, three of the railroad officials, and three of the general public. The central office of the board is to be located in Chicago. The salary of each member is \$10,000 a year. The board, when called upon to do so, may, after investigation, fix just and reasonable wages and salaries for railroad workers; but if its rulings are not complied with, if the workers refuse to accept the wages fixed by the board

The
Railroad
Labor
Board

THE YEARLY FLOW OF THE IMMIGRATION TIDE

SINCE 1820

Compiled from Statistics from Report of
United States Bureau of Immigration



From "The Tide of Immigration" by F. J. Warne, by courtesy of the publishers, D. Appleton & Company

The Immigrant Stream

and strike, the trains must stop running. There is no penalty for violating a ruling of the board. When a decision of the board is disobeyed, its only recourse is to make a public statement and rely upon public opinion to give sanction to its findings. The law of 1920 also gave the Interstate Commerce Commission power to regulate the bond issues of railroads, a power that it ought to have had much earlier.¹ The Transportation Act of 1920 by the confession of its advocates went as far in the direction of government regulation as it was possible to go; the next step would be government ownership.²

The creation of the Railroad Labor Board was a radical departure from the customary method of dealing with wage questions, but the step was taken in the hope that it would protect the public from the disastrous effects of strikes. In Kansas action of a still more radical nature was taken about the same time. The legislature of that State in January, 1920, established a court of industrial relations, giving it supervision over the manufacture and preparation of food products, over the manufacture of clothing, over all mining and fuel production, and over the transportation of necessities. These designated classes of employments and industries were declared by the law to be "affected with a public interest and therefore subject to the supervision of the State." The underlying purpose of the law was to secure continuity and efficiency in the operation of the mines, the railroads, and the other designated industries. Hence suspension of operation in such manufactures or in mining or transportation was declared to be contrary to the spirit of the law, and, if labor controversy should arise threatening the continuity of operation, the industrial court was clothed with the power to come forward and issue such orders as might be necessary to prevent a cessation of operation. If either or both parties to the controversy should refuse to obey the court's orders, the State was authorized to step in and temporarily take over the industry in question and operate it.

Aside from the Transportation Act and the Volstead Act Federal legislation during the last two years of the Wilson administration was not of very great importance. There was one other

¹ See p. 746.

² For a full discussion of contemporary railroad questions see "The American Railroad Problem" by I. Leo Sharfman; and "Railroads and Government," by Frank Haigh Dixon.

law, however, that wore an aspect of promise. This was the Jones Water-power Bill, enacted in June, 1920. The measure was designed to conserve a portion of the many million horse-power of hydro-electric energy that was lying latent in streams and that if put to work would result annually in saving hundreds of millions of tons of coal. The Jones Bill created a water-power commission to which was given authority over all matters coming within the Federal jurisdiction pertaining to the development of water-power on the public domain and in the natural forests. The commission was authorized to issue to citizens of the United States, to corporations, to States, and to municipalities, licenses for operating hydro-electric plants, the licenses to be given for a period of fifty years. The law encouraged the building of head-water storage reservoirs to prevent floods and to obtain water for irrigation purposes. Thus a comprehensive policy of water-power development was instituted by congressional action.

The policy of increasing the nation's food supply by conserving natural resources¹ was still being earnestly carried forward, with the result that by 1920 over 150,000 persons were living on 40,000 farms irrigated by the Federal reclamation service and were annually raising crops worth \$100,000,000. This was a service of the highest value, for there was now a flow of population away from the agricultural districts. This was shown by the enumeration of the fourteenth census, which began in January, 1920. When the count of this census was finished it was found that the population of the United States was 105,683,108. The most significant fact revealed by the census was that more than half of the entire population lived in urban communities. Seventy-five cities could claim a population of about 100,000 or more; thirty-five, a population of about 200,000 or more; twenty-five, a population of about 300,000 or more; sixteen, 400,000 or more; twelve, 500,000 or more. The marvel of urban growth was Detroit, which, jumping from less than a half-million in 1910 to nearly a million in 1920, passed Baltimore, St. Louis, and Boston, and took its place as the fourth city of the nation. The fifth place was taken by Cleveland, whose population was nearly 800,000. Los Angeles and Akron also made sensational gains, the former nearly doubling and the latter more than trebling its population.

Reclama-
tionThe Census
of 1920

While urban America was gaining, rural America was losing.

¹See p. 719.

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According to the count of 1920 the urban population increased at a rate of 25 per cent while the rate of increase of the rural districts was 3.4 per cent. That is to say, cities were increasing in population more than seven times as fast as rural districts. Rural communities in some parts of New England had a smaller population than they had a hundred years ago, and in hundreds of rural counties scattered over the country there was a decline in population.

THE HARDING ADMINISTRATION

The Elec-
tion of
Harding

Senator Boies Penrose, speaking of the prospective candidates in the Presidential contest of 1920, said: "Any good Republican can be nominated for President and can defeat any Democrat." This shrewd and accomplished politician was reading the signs of the time as most people were reading them: at the outset it did not seem that 1920 would be a good year for the Democrats. The Republicans, holding their national convention in Chicago, nominated Warren G. Harding of Ohio for President and Calvin Coolidge of Massachusetts for Vice-President. The Democrats met on June 28 in San Francisco and on the forty-fourth ballot nominated James M. Cox of Ohio as their candidate for President. The Socialists for the fifth time nominated Eugene V. Debs, who was in prison serving a sentence for violating the Espionage Act, passed while the war was going on. The discussions of the campaign were directed chiefly to the League of Nations. Should the United States join the league, or should we remain outside? Cox was for going in; Harding was for staying out. The election resulted in a Republican victory of startling magnitude. Harding received 404 electoral votes; Cox, 127. In round numbers the popular vote was: Harding, 16,000,000; Cox, 9,000,000; Debs, 900,000.

"We Do
Not Mean
to Be
Entangled"

Harding interpreted the election as being a plain mandate from the people to have nothing to do with the league. March 4, 1921, in his inaugural address, he said: "The recorded progress of our republic, materially and spiritually, in itself proves the wisdom of the inherited policy of non-involvement in Old World affairs. Confident of our ability to work out our own destiny and jealously guarding our right to do so, we seek no part in directing the destinies of the Old World. We do not mean to be entangled.

We will accept no responsibility except as our own conscience and judgment in each instance may determine. . . . In expressing aspirations, in seeking practical plans, in translating humanity's new concept of righteousness, justice, and its hatred of war into recommended action, we are ready most heartily to unite; but every commitment must be made in the exercise of our national sovereignty."

CHAP.
XXXVI

The Congress with which the new President must work was overwhelmingly Republican in both branches. Its first important act was to create in June, 1921, a bureau of the budget and provide for an orderly administration of the national finances. For years Congress had been meeting the expenses of the executive departments by a procedure that was "haphazard, uncertain, unbusiness-like and indefensibly wasteful." Under the budget plan adopted in 1921 provision was made for a full and clear statement of expenditures and revenues, and for a detailed estimate of the Government's needs and financial resources. At the head of the bureau of the budget was placed a director whose duty is to prepare the budget which the President transmits to Congress on the first day of each regular session.

The Budget
Law

Although President Harding seemed anxious to avoid foreign complications and entanglements, his administration could not wash its hands entirely of Old World affairs. For one thing, there was the question of a peace settlement with Germany, a question which was left dangling in the air when the Treaty of Versailles was rejected. This problem was solved in July, 1921, when Congress by a joint resolution provided: "That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end." Then there was the question of disarmament to be dealt with. The United States was spending more than nine tenths of its immense revenues either in paying for past wars or in building up armaments for future wars, and the military burdens of other nations were even heavier. And this was going on despite the fact that the policy of competitive armament was no longer finding favor in the eyes of statesmen. In 1911 men, looking upon the vast military establishments that a policy of competition was building up in Europe, exclaimed: "War is unthinkable!" In

Peace with
Germany

The
Question of
Disarma-
ment

1921 if the same men had beheld the same establishments, they would doubtless have exclaimed: "Peace is unthinkable." "The enormous disbursements in the rivalries of armaments," said Charles Evans Hughes in November, 1921, "manifestly constitute the greater part of the encumbrance upon enterprise and national

Total Appropriations for Year Ending June 30, 1920: \$5,686,005,706

1 cent out of each \$1 for PUBLIC WELFARE

This penny is divided approximately as follows:

Agriculture and Development of natural resources.....	$\frac{3}{4}$
Education	$\frac{1}{8}$
Public Health	$\frac{1}{4}$
Labor	$\frac{1}{10}$

3 cents out of each \$1 for PUBLIC WORKS

(Harbors, rivers, roads, parks, etc.)

3 cents out of each \$1 for ADMINISTRATION OF GOVERNMENT

(Expenses of the Congress, President, Departments, etc.)



**93 cents out of each \$1 for { PRESENT ARMAMENTS
PAST WARS**

(Including care of soldiers, pensions, railroad deficit, shipping board, interest on the public debt, European food relief, etc.)

(From Analysis by E. B. Rosa, Chief Physicist, U. S. Bureau of Standards)

How Our Nation Spends Its Income

prosperity; and avoidable or extravagant expense of this nature is not only without justification, but is a constant menace to the peace of the world rather than an assurance of its preservation." Lloyd George about the same time declared: "It matters not what treaties are signed, what pacts are entered into between nations, or what understandings they may establish; if nations are armed against each other for war, war will inevitably come in the end." Accordingly, men's minds began to turn to disarmament. President Harding, responding doubtless to a resolution which through the insistence of Senator W. E. Borah had been attached to a naval

appropriation bill, suggested to the governments of Great Britain, Japan, France, and Italy that there should be "a Conference on the subject of Limitation of Armaments, in connection with which the Pacific and Far Eastern questions should also be discussed." As the suggestion was agreeable to the powers, the conference met in Washington on November 11, 1921. Nothing was done at the conference in the way of land disarmament, but in accordance with a proposal made by Secretary of State Hughes, a sweeping reduction in naval construction was agreed upon and a ratio of naval strength was established. Under the terms of the Five Power Naval Treaty, it was agreed that the United States should have a capital ship tonnage of 525,000, Great Britain the same, Japan three fifths as much, and France and Italy slightly more than one third as much. At the conference also the Four Power Treaty was drawn up. The parties to this treaty were the United States, Great Britain, France, and Japan. The purpose of the treaty was to create in the Orient a diplomatic situation that would be favorable to peace in case controversies should arise. The most significant feature of the treaty was the provision which terminated the alliance that had been in force between Great Britain and Japan since 1911. Outside of this there was very little in the treaty that was definite. There was almost nothing in it that was binding. If a dispute between the four powers or any of them should arise a conference would be called, but the action of the conference would be binding upon no signatory unless that signatory wanted to be bound.

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Conference
for the
Limitation
of Arma-
ments

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CONSTITUTION OF THE UNITED STATES

WE the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. 1 The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2 No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3 Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons.¹ The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4 When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5 The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION 3. 1 The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years; and each senator shall have one vote.

2 Immediately after they shall be assembled in consequence of the first

¹ The last half of this sentence was superseded by the 13th and 14th Amendments. (See p. 490, following.)

election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3 No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4 The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5 The Senate shall choose their other officers, and also a president *pro tempore*, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6 The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside: and no person shall be convicted without the concurrence of two thirds of the members present.

7 Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 4. 1 The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

2 The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. 1 Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

2 Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two thirds, expel a member.

3 Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one fifth of those present, be entered on the journal.

4 Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 6. 1 The senators and representatives shall receive a com-

compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2 No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

SECTION 7. 1 All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2 Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3 Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. 1 The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

2 To borrow money on the credit of the United States;

3 To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4 To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5 To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6 To provide for the punishment of counterfeiting the securities and current coin of the United States;

7 To establish post offices and post roads;

8 To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

9 To constitute tribunals inferior to the Supreme Court;

10 To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

11 To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

12 To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

13 To provide and maintain a navy;

14 To make rules for the government and regulation of the land and naval forces;

15 To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

16 To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

17 To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the government of the United States,¹ and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

18 To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECTION 9. 1 The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.²

2 The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3 No bill of attainder or *ex post facto* law shall be passed.

4 No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5 No tax or duty shall be laid on articles exported from any State.

6 No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to, or from, one State be obliged to enter, clear, or pay duties in another.

7 No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of

¹ The District of Columbia, which comes under these regulations, had not then been erected.

² A temporary clause, no longer in force. See also Article V, p. 486.

the receipts and expenditures of all public money shall be published from time to time.

8 No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

SECTION 10.¹ 1 No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2 No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3 No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

SECTION 1. 1 The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

2 Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate, shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a

¹ See also the 10th, 13th, 14th, and 15th Amendments, pp. 489, 490, 491.

member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.¹

3 The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

4 No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

5. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

6 The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

7 Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. 1 The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2 He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3 The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3. He shall from time to time give to the Congress infor-

¹This paragraph superseded by the 12th Amendment, p. 489.

mation of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

SECTION 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation which shall not be diminished during their continuance in office.

SECTION 2. 1 The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more States;—between a State and citizens of another State;¹—between citizens of different States,—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

2 In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3 The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. 1 Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2 The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

¹ See the 11th Amendment, p. 489.

ARTICLE IV

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2 A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime.

3 No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.¹

SECTION 3. 1 New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

2 The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

1 All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2 This Constitution, and the laws of the United States which shall

¹ See the 13th Amendment, p. 490.

be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3 The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States, and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names,

Go: WASHINGTON—

Presidt. and Deputy from Virginia

New Hampshire

John Langdon
Nicholas Gilman

Massachusetts

Nathaniel Gorham
Rufus King

Connecticut

Wm. Saml. Johnson
Roger Sherman

New York

Alexander Hamilton

New Jersey

Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

Pennsylvania

B. Franklin
Thomas Mifflin
Robt. Morris
Geo. Clymer
Thos. Fitzsimons
Jared Ingersoll
James Wilson
Gouv Morris

Delaware

Geo: Read
Gunning Bedford Jun
John Dickinson
Richard Bassett
Jaco: Broom

Maryland

James McHenry
Dan of St. Thos Jenifer
Danl. Carroll

Virginia

John Blair—
James Madison Jr.

North Carolina

Wm. Blount
Richd. Dobbs Spaight
Hu Williamson

South Carolina

J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia

William Few
Abr Baldwin
Attest

WILLIAM JACKSON, Secretary.

Articles in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the legislatures of the several States pursuant to the fifth article of the original Constitution.

ARTICLE I¹

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II

A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact

¹The first ten Amendments were adopted in 1791.

tried by a jury shall be otherwise reëxamined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI¹

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII²

The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate;—The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a ma-

¹ Adopted in 1798.

² Adopted in 1804.

jority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

ARTICLE XIII¹

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV²

SECTION 1. All persons born, or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a senator or representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or

¹ Adopted in 1865.

² Adopted in 1868.

rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV¹

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI²

The Congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII³

The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE XVIII³

SECTION 1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States on all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and several States shall have concurrent power to enforce this article by appropriate legislation.

ARTICLE XIX⁴

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

¹ Adopted in 1870.

³ Adopted in 1919.

² Adopted in 1913.

⁴ Adopted in 1920.

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